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# BILL

An Act to make Uniform the Law respecting the Liability of the Parties in an Action for Damages for Negligence where more than one party is in fault.

(Recommended by the Commissioners on Uniformity of Legislation in Canada.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Contributory Negligence Act, 1929.* Short title.

**2.** Where by the fault of two or more persons damage or loss is caused to one or more of them, the liability to make good the damage or loss shall be in proportion to the degree in which each person was at fault:— apportionment of damages.

Provided that:—

- (a) If, having regard to all the circumstances of the case, it is not possible to establish different degrees of fault, the liability shall be apportioned equally, and
- (b) Nothing in this section shall operate so as to render any person liable for any loss or damage to which his fault has not contributed.

**3.** In actions tried with a jury the amount of damage, the fault, if any, and the degrees of fault shall be questions of fact for the jury. Questions for jury.

**4.** Unless the judge otherwise directs the liability for costs of the parties shall be in the same proportion as the liability to make good the loss or damage. Costs.

**5.** *The Contributory Negligence Act*, being chapter 103 of the Revised Statutes of 1927, is repealed. Rev. Stat., c. 103, repealed.

**6.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act to make Uniform the Law respecting the Liability of the Parties in an Action for Damages for Negligence where more than one party is in fault.

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*1st Reading*

February 1st, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to Confirm Tax Sales and Deeds.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Tax Sales Confirmation Act, 1929.* Short title.

2. All sales of land situate within any municipality in Ontario held prior to the thirty-first day of December, 1924, and purporting to have been made by the corporation of a municipality having power to sell land for arrears of taxes and by its treasurer, and in other cases by the corporation of the county and by its treasurer, for arrears of taxes in respect to the lands so sold are confirmed and declared to be legal, valid and binding, and all deeds of lands so sold executed as required by *The Assessment Act* and purporting to convey the said lands to the purchaser thereof or his assigns are also confirmed and declared to be legal, valid and binding and shall have the effect of vesting the lands so sold, and the same are hereby vested, in the purchaser, his heirs, assigns or legal representatives in fee simple or otherwise according to the nature of the estate or interest sold free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon except taxes accruing after those for non-payment of which the said lands were so sold. Confirmation of tax sales and deeds.

3. Section 2 shall extend and apply to cases where the municipality or any one in trust for it or on its behalf became the purchaser of the lands. Where municipality is purchaser.

4. Nothing in this Act contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed. Pending litigation not affected.

Not to  
apply to  
lands for-  
feited under  
Rev. Stat.,  
c. 28.

**5.** This Act shall not apply to lands forfeited to the Crown under *The Mining Tax Act*.

Commence-  
ment of  
Act.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.



Ontario.  
19 George V, 1929.

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BILL.

An Act to Confirm Tax Sales and Deeds

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*1st Reading,*

February 1st, 1929.

*2nd Reading,*

*3rd Reading,*

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MR. MCBRIEN.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to Confirm Tax Sales and Deeds.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Tax Sales Confirmation Act, 1929*. Short title.

2. All sales of land situate within any municipality in Ontario held prior to the thirty-first day of December, 1924, and purporting to have been made for arrears of taxes payable to a municipal corporation in respect to the lands so sold are confirmed and declared to be legal, valid and binding, and all deeds of lands so sold, executed as required by *The Assessment Act* and purporting to convey the said lands to the purchaser thereof or his assigns, are also confirmed and declared to be legal, valid and binding and shall have the effect of vesting the lands so sold, and the same are hereby vested, in the purchaser, his heirs, assigns or legal representatives in fee simple or otherwise according to the nature of the estate or interest sold free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon except taxes accruing after those for non-payment of which the said lands were so sold. Confirmation of tax sales and deeds. Rev. Stat., c. 238.

3. Section 2 shall extend and apply to cases where the municipality or any one in trust for it or on its behalf became the purchaser of the lands. Where municipality is purchaser.

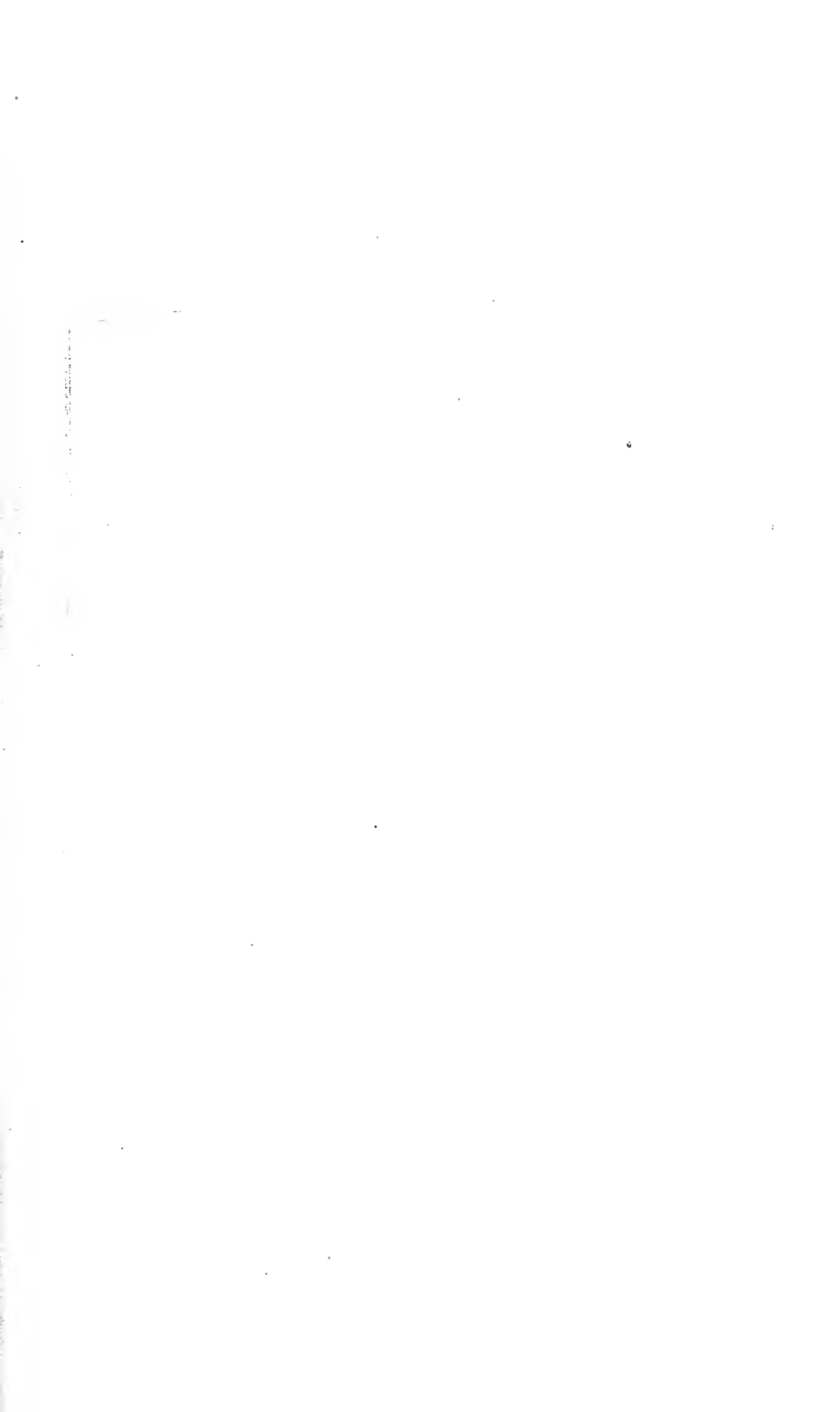
4. Nothing in this Act contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed. Pending litigation not affected.

5. This Act shall not apply to lands forfeited to the Crown under *The Mining Tax Act*. Not to apply to lands forfeited under Rev. Stat., c. 28.

Commence-  
ment of  
Act.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.





3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to Confirm Tax Sales and Deeds

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*1st Reading,*

February 1st, 1929.

*2nd Reading,*

February 4th, 1929.

*3rd Reading,*

March 28th, 1929.

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MR. MCBRIEN.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty

# BILL

## An Act to amend The Provincial Aid to Drainage Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Provincial Aid to Drainage Act, 1929.* Short title.

**2.** Section 2 of *The Provincial Aid to Drainage Act* is amended by adding at the beginning thereof the words "subject to the provisions of subsection 2," and also by adding the following as subsections 2 and 3: Rev. Stat., c. 63, s. 2, amended.

(2) This Act shall not apply to the construction of covered drains such as storm sewers, sanitary sewers or sewer outlets. Act not to apply to municipal sewers, etc.

(3) For the purposes of this Act any contribution in cash towards the cost of the work received by the municipality initiating the work shall be deducted from such cost. Contributions received by initiating municipality to be excluded.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Provincial Aid to  
Drainage Act.

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*1st Reading*

February 4th, 1929

*2nd Reading*

*3rd Reading*

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MR. HENRY.

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# BILL

## An Act to amend The Provincial Aid to Drainage Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Provincial Aid to Drainage Act, 1929.* Short title.

2. Section 2 of *The Provincial Aid to Drainage Act* is amended by adding at the beginning thereof the words "subject to the provisions of subsection 2," and also by adding the following as subsections 2 and 3: Rev. Stat., c. 63, s. 2, amended.

(2) This Act shall not apply to the construction of covered drains such as storm sewers, sanitary sewers or sewer outlets. Act not to apply to municipal sewers, etc.

(3) For the purposes of this Act any contribution in cash towards the cost of the work received by the municipality initiating the work shall be deducted from such cost. Contributions received by initiating municipality to be excluded.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Provincial Aid to  
Drainage Act.

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*1st Reading*

February 4th, 1929

*2nd Reading*

February 6th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. HENRY.

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TORONTO :

Printed by

# BILL

## An Act to amend The Election Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Election Act, 1929*. Short title.
  
2. Subsection 3 of section 53 of *The Election Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 8, s. 53,  
subs. 3,  
repealed.
  - (3) Where the returning officer finds that at the last preceding election not more than two hundred and fifty persons voted at the polling place for a polling subdivision, he shall notify the chairman of the board and the chairman shall give such directions for uniting the polling subdivision with another and fixing one polling place for both as he may think proper, unless he is of opinion that owing to the extent of the polling subdivisions more than one polling place should be established. Union of  
polling sub-  
divisions.
  
3. Subsection 3 of section 54 of *The Election Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 8, s. 54,  
subs. 3,  
repealed.
  - (3) The number and location of the polling places shall in all cases be subject to the approval of the board and the chairman of the board shall certify in writing that the number of polling places and their location are necessary and proper. Number and  
location of  
polls.
  
  - (3a) Where it is found that the returning officer has established a polling place which is unnecessary to accommodate the voters and that such polling place has not been approved by the board, the cost to the Province of establishing such poll and the conduct of the polling thereat shall be borne by the returning officer and deducted from his fee. Cost of  
unnecessary  
poll.

Rev. Stat.,  
c. 8, s. 71,  
repealed.

4. Section 71 of *The Election Act* is repealed and the following substituted therefor:

Weight of  
paper.

71.—(1) The paper used for printing the ballot papers shall be of the following weight; if foolscap paper is used it shall be of a weight of not less than sixteen pounds to the ream; if large post paper is used it shall be of a weight of not less than twenty-five pounds to the ream.

Paper to  
show secret  
marking.

(2) The paper used shall contain a secret thread or other mark so placed as to run through each column of ballots ruled on every sheet of the ballot paper furnished.

Security  
to be  
furnished  
by manu-  
facturer.

(3) The manufacturer of the paper shall be required to furnish security in such amount as may be fixed by the Lieutenant-Governor in Council, that none of the paper manufactured for use in printing the ballots shall be supplied by him to any other person than the King's Printer, and upon the delivery of the paper the number of sheets shall be counted by the King's Printer and a receipt therefor in writing signed by the King's Printer shall be given to the manufacturer.

King's  
Printer to  
furnish  
paper to  
Clerk of the  
Crown in  
Chancery.

(4) The paper required for the printing of the ballot papers shall be furnished to the Clerk of the Crown in Chancery by the King's Printer from time to time as may be required, and the King's Printer and the Clerk of the Crown in Chancery shall check the number of sheets of ballot paper so furnished and the Clerk of the Crown in Chancery shall give to the King's Printer a receipt in writing signed by him.

Supply to  
be furnished  
to returning  
officer.

(5) The Clerk of the Crown in Chancery shall supply to the returning officer for each electoral district a sufficient number of sheets of the paper for the printing of the ballots and the returning officer shall upon receipt of the same count the sheets and forward his receipt therefor (Form 14a) to the Clerk of the Crown in Chancery.

Returning  
officer to  
see to  
printing of  
ballots.

(6) The returning officer shall procure to be printed on the paper furnished to him, as hereinafter provided, a sufficient number of ballot papers, not being less than the total number of voters in the electoral district.



(7) The printer shall count the sheets of ballot paper delivered to him and shall give a receipt therefor (Form 14*b*) to the returning officer, and the returning officer shall transmit the same with the other papers relating to the election to the Clerk of the Crown in Chancery.

Returning officer to give receipt for ballot paper.

(8) The names of the candidates, alphabetically arranged in the order of their surnames, shall be printed on the ballot paper, and it shall be provided with a counterfoil and a stub, and there shall be a line of perforations between the ballot and the counterfoil and between the counterfoil and the stub, the whole as in Form 16.

Form of ballot.

(9) The ballot papers shall be numbered on the back of the stub and the counterfoil, the same number being printed or written on the stub as on the counterfoil, and shall be bound or stitched in books containing twenty-five, fifty or one hundred ballot papers, as may be most suitable for supplying the polling subdivisions proportionately to the number of voters in each.

Numbering ballot papers.

(10) All ballot papers shall be of the same description and as nearly alike as possible.

Uniformity.

(11) The ballot papers shall bear upon the back the name of the printer who prints them.

Printer's name.

(12) The printer shall with the ballot papers deliver to the returning officer an affidavit (Form 15).

Affidavit of printer.

**5.** Section 73 of *The Election Act* is amended by adding thereto the following subsection:

Rev. Stat., c. 8, s. 73, amended.

(2) Immediately upon receipt of the ballot papers from the returning officer, the deputy returning officer shall count the same and forward the receipt therefor (Form 14*c*) to the returning officer.

Receipt to be given by deputy returning officer.

**6.** *The Election Act* is amended by adding thereto the following section:

Rev. Stat., c. 8, amended.

73*a*. The Clerk of the Crown in Chancery shall cause a check to be made before each general election and at least once in every year, of all ballot paper furnished to him and such paper shall be kept at all times under lock and key and no one shall have access to the place in which it is kept except the

Custody of ballot paper.

Clerk of the Crown in Chancery or some person acting directly under his authority.

Rev. Stat.,  
c. 8, s. 86,  
amended.

7. Subsection 4 of section 86 of *The Election Act* is amended by adding after the word "opened" in the second line the words "Form 20a."

Rev. Stat.,  
c. 8, s. 74,  
amended.

8. Section 74 of *The Election Act* is amended by adding thereto the following subsections:

Alphabetical  
list to be  
prepared by  
clerk of the  
peace.

(3) Where the Chief Election Officer so directs the clerk of the peace shall prepare for revision by the revising officers as provided in *The Voters' Lists Act*, a list, prepared alphabetically or by street numbers, containing the names of all persons entitled to vote at elections to the Legislative Assembly in the polling subdivision as shown upon Part I and Part III of the voters' list, and notwithstanding anything in *The Voters' Lists Act* contained the list so prepared shall be the list to be revised by the revising officers and shall be posted up, and revised, and certified in the same manner as lists prepared, revised and certified under *The Voters' Lists Act*.

List to be  
set up in  
type.

(4) To avoid expenses to the municipalities concerned and to the Province, after the preparation of the list the Chief Election Officer may direct that the same shall be typewritten, set up in type and the type kept standing until after the revision and the changes made upon the revision incorporated in the list.

Apportion-  
ing expenses  
of preparing  
list.

(5) Where the lists are prepared and set up as provided in subsections 3 and 4 it shall be the duty of the board to apportion the expense of preparing, printing and revising the same between the municipalities and the Province in such manner as the board may deem most equitable.

Polling list.

(6) The lists as so prepared, revised and certified shall be the polling lists to be delivered to the deputy returning officers for use at the polling places.

Special  
directions  
by Chief  
Election  
Officer when  
necessary.

(7) Where it appears to the Chief Election Officer that it is impracticable to carry out any of the provisions of the preceding subsections of this section, he may cause such arrangements to be made for preparing the polling list as he may deem proper under the circumstances, and it shall be the duty of the clerk of the peace to carry out any directions or instructions

given by the Chief Election Officer under this section, but nothing in this section shall authorize any name to be placed upon or omitted from the polling list which is not contained in Part I or Part III of the voters' list prepared by the clerk of the municipality except so far as may be necessary to give effect to the changes made upon the revision of the list by the revising officer.

**9.** The Schedule of Forms to *The Election Act* is amended Rev. Stat.,  
c. 8, Sched.  
amended. by adding thereto Forms 14a, 14b and 14c set out in the Schedule to this Act; by striking out Form 15 in the Schedule to *The Election Act* and inserting in lieu thereof Form 15 set out in the Schedule to this Act; by adding to the Schedule to *The Election Act* Form 20a set out in the Schedule to this Act, and by striking out Form 32 in the Schedule to *The Election Act* and inserting in lieu thereof Form 32 as set out in the Schedule to this Act.

**10.** This Act shall come into force on the day upon which Commence-  
ment of Act. it receives the Royal Assent.

SCHEDULE OF FORMS

THE ELECTION ACT

FORM 14a

(Referred to in section 71 (5) )

Receipt of Returning Officer for ballot paper received from Clerk of the Crown in Chancery.

I, ....., Returning Officer for the Electoral District of ....., do hereby acknowledge that I have this day received from the Clerk of the Crown in Chancery.....sheets of ballot paper, .....ballots to the sheet, total weight....., the same being for use at the vote to be taken on the..... day of....., 19...

Dated this .....day of....., 19...

.....  
Returning Officer.

THE ELECTION ACT

FORM 14b

(Referred to in section 71 (7) )

Receipt of Printer for ballot paper received from Returning Officer.

I (or We) do hereby acknowledge receipt of.....sheets of ballot paper, .....ballots to the sheet, from the Returning Officer for the Electoral District of.....the same to be printed as per instructions for use at the vote to be taken on the..... day of....., 19...

Dated this .....day of....., 19...

.....  
Printer.

THE ELECTION ACT

FORM 14c

(Referred to in section 73 (2) )

Receipt for ballot papers received from Returning Officer.

(Count your ballots, fill in this Form and forward at once to Returning Officer).

....., 19...

I, ....., Deputy Returning Officer for Polling Subdivision No. .... in the Electoral District of..... hereby acknowledge that I have received from Mr. ...., Returning Officer for the said Electoral District, .....books of ballot papers and have carefully examined and counted them and find that they contain.....ballots.

.....  
Deputy Returning Officer.

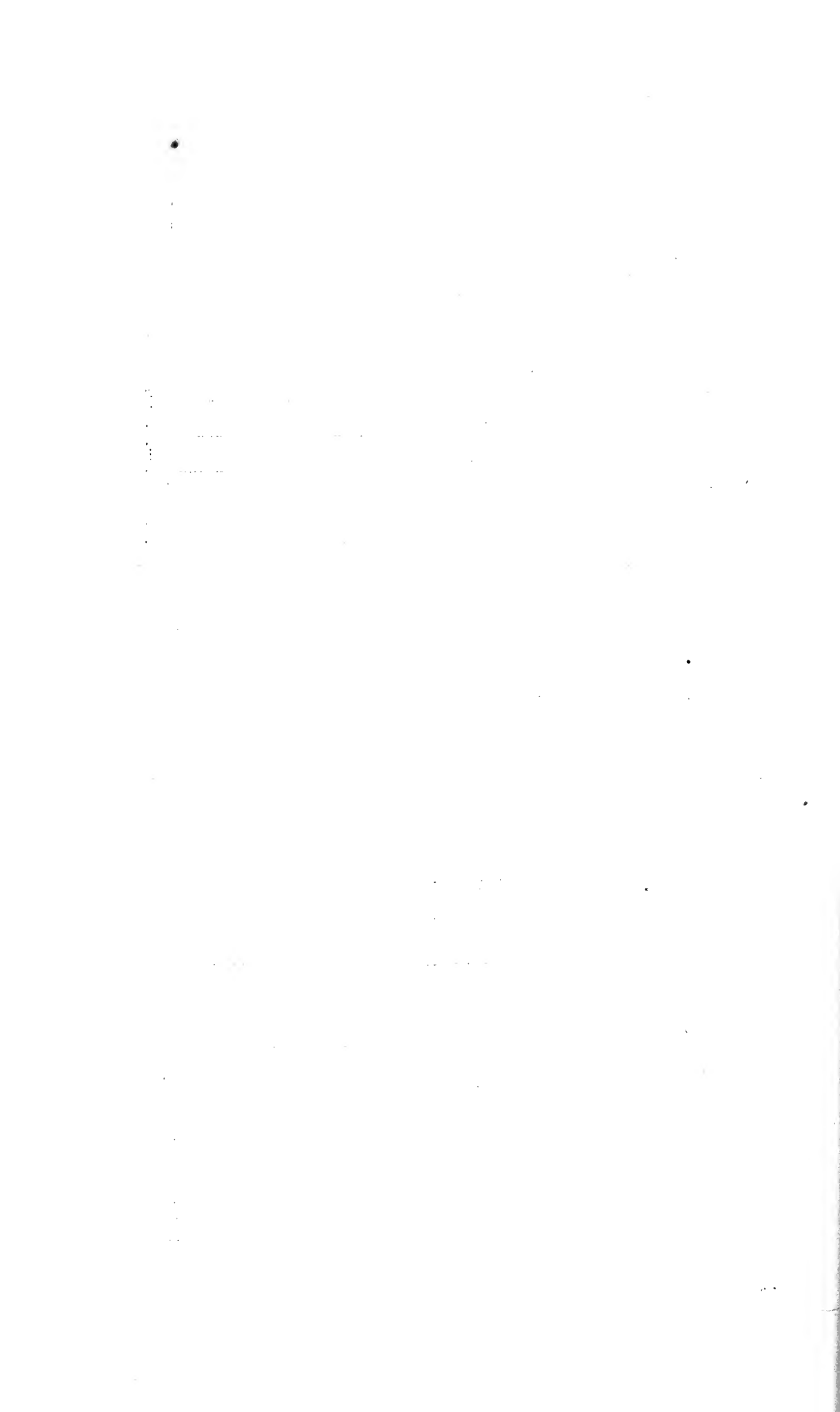


The ballot box will be opened and the votes counted at.....  
o'clock in the.....of.....the.....day  
of.....at the said place.

Dated at.....this.....day of....., 19...

.....  
*Returning Officer.*









Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Election Act.

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*1st Reading*

February 4th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Election Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Election Act, 1929*. Short title.
2. Section 1 of *The Election Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 8, s. 1,  
amended.
  - (ii) "Mariner" shall mean and include any man or woman "Mariner." who is serving in His Majesty's naval forces of Great Britain or Canada, or is serving in any capacity on a mercantile vessel registered at a British port at the time of the issue of a writ for any provincial election.
3. Section 20 of *The Election Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 8, s. 20,  
amended.
  - (d) A mariner within the meaning of this Act.
4. Subsection 3 of section 54 of *The Election Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 8, s. 54,  
subs. 3,  
repealed.
  - (3) The number and location of the polling places shall in all cases be subject to the approval of the board and the chairman of the board shall certify in writing that the number of polling places and their location are necessary and proper. Number and  
location of  
polls.
  - (3a) Where it is found that the returning officer has established a polling place which is unnecessary to accommodate the voters and that such polling place has not been approved by the board, the cost to the Province of establishing such poll and the conduct of the polling thereat shall be borne by the returning officer and deducted from his fee. Cost of  
unnecessary  
poll.

Rev. Stat.,  
c. 8, s. 57,  
amended.

5. Section 57 of *The Election Act* is amended by adding thereto the following subsection:

Imperfect  
nomination  
paper.

- (7) The returning officer shall not reject any nomination paper which is received before the time fixed for the close of nomination in the proclamation of the returning officer and which is signed by at least one hundred persons purporting to be residents of and electors in the electoral district, and if any nomination paper appears to the returning officer for any reason to be invalid he shall not reject the same until he has communicated the facts to the Chief Election Officer and the Chief Election Officer has in writing signed by him, authorized such rejection, and for the purposes of communicating with the Chief Election Officer the returning officer shall adjourn the proceedings until the hour of one o'clock on the next day following, when he shall at the same place announce the decision of the Chief Election Officer.

Rev. Stat.,  
c. 8, s. 71,  
repealed.

6. Section 71 of *The Election Act* is repealed and the following substituted therefor:

Weight of  
paper.

- 71.—(1) The paper used for printing the ballot papers shall be of the following weight; if foolscap paper is used it shall be of a weight of not less than sixteen pounds to the ream; if large post paper is used it shall be of a weight of not less than twenty-five pounds to the ream.

Paper to  
show secret  
marking.

- (2) The paper used shall contain a secret thread or other mark so placed as to run through each column of ballots ruled on every sheet of the ballot paper furnished.

Security  
to be  
furnished  
by manu-  
facturer.

- (3) The manufacturer of the paper shall be required to furnish security in such amount as may be fixed by the Lieutenant-Governor in Council, that none of the paper manufactured for use in printing the ballots shall be supplied by him to any other person than the King's Printer, and upon the delivery of the paper the number of sheets shall be counted by the King's Printer and a receipt therefor in writing signed by the King's Printer shall be given to the manufacturer.

King's  
Printer to  
furnish  
paper to  
Clerk of the  
Crown in  
Chancery.

- (4) The paper required for the printing of the ballot papers shall be furnished to the Clerk of the Crown

in Chancery by the King's Printer from time to time as may be required, and the King's Printer and the Clerk of the Crown in Chancery shall check the number of sheets of ballot paper so furnished and the Clerk of the Crown in Chancery shall give to the King's Printer a receipt in writing signed by him.

- (5) The Clerk of the Crown in Chancery shall personally deliver or transmit by express in a box or boxes locked and sealed with his seal to the returning officer for each electoral district a sufficient number of sheets of the paper for the printing of the ballots and the returning officer shall upon receipt of the same count the sheets and forward his receipt therefor (Form 14a) to the Clerk of the Crown in Chancery. Supply to be furnished to returning officer.
- (6) The returning officer shall procure to be printed on the paper furnished to him, as hereinafter provided, a sufficient number of ballot papers, not being less than the total number of voters in the electoral district. Returning officer to see to printing of ballots.
- (7) The printer shall count the sheets of ballot paper delivered to him and shall give a receipt therefor (Form 14b) to the returning officer, and the returning officer shall transmit the same with the other papers relating to the election to the Clerk of the Crown in Chancery. Returning officer to give receipt for ballot paper.
- (8) The names of the candidates, alphabetically arranged in the order of their surnames, shall be printed on the ballot paper, and it shall be provided with a counterfoil and a stub, and there shall be a line of perforations between the ballot and the counterfoil and between the counterfoil and the stub, the whole as in Form 16. Form of ballot.
- (9) The ballot papers shall be numbered on the back of the stub and the counterfoil, the same number being printed or written on the stub as on the counterfoil, and shall be bound or stitched in books containing twenty-five, fifty or one hundred ballot papers, as may be most suitable for supplying the polling subdivisions proportionately to the number of voters in each. Numbering ballot papers.
- (10) All ballot papers shall be of the same description and as nearly alike as possible. Uniformity.

Printer's  
name.

- (11) The ballot papers shall bear upon the back the name of the printer who prints them.

Affidavit of  
printer.

- (12) The printer shall with the ballot papers deliver to the returning officer an affidavit (Form 15).

Rev. Stat.,  
c. 8, s. 72,  
amended.

Record  
of numbers  
on ballots.

**7.** Section 72 of *The Election Act* is amended by adding thereto the following words: "He shall when delivering the same make a record of the numbers on the ballots delivered to each deputy returning officer and this record shall be returned to the Clerk of the Crown in Chancery along with other documents required to be returned to him."

Rev. Stat.,  
c. 8, s. 73,  
amended.

**8.** Section 73 of *The Election Act* is amended by adding thereto the following subsection:

Receipt to  
be given  
by deputy  
returning  
officer.

- (2) Immediately upon receipt of the ballot papers from the returning officer, the deputy returning officer shall count the same and forward the receipt therefor (Form 14c) to the returning officer.

Rev. Stat.,  
c. 8,  
amended.

**9.** *The Election Act* is amended by adding thereto the following section:

Custody of  
ballot  
paper.

**73a.** The Clerk of the Crown in Chancery shall cause a check to be made before each general election and at least once in every year, of all ballot paper furnished to him and such paper shall be kept at all times under lock and key and no one shall have access to the place in which it is kept except the Clerk of the Crown in Chancery or some person acting directly under his authority.

Rev. Stat.,  
c. 8, s. 74,  
amended.

**10.** Section 74 of *The Election Act* is amended by adding thereto the following subsections:

Alphabetical  
list to be  
prepared by  
clerk of the  
peace.

- (3) Where the Chief Election Officer so directs the clerk of the peace shall prepare for revision by the revising officers as provided in *The Voters' Lists Act*, a list, prepared alphabetically or by street numbers, containing the names of all persons entitled to vote at elections to the Legislative Assembly in the polling subdivision as shown upon Part I and Part III of the voters' list, and notwithstanding anything in *The Voters' Lists Act* contained the list so prepared shall be the list to be revised by the revising officers and shall be posted up, and revised, and certified in the same manner as lists prepared, revised and certified under *The Voters' Lists Act*.

List to be  
set up in  
type.

- (4) To avoid expenses to the municipalities concerned and to the Province, after the preparation of the

list the Chief Election Officer may direct that the same shall be typewritten, set up in type and the type kept standing until after the revision and the changes made upon the revision incorporated in the list.

- (5) Where the lists are prepared and set up as provided in subsections 3 and 4 it shall be the duty of the board to apportion the expense of preparing, printing and revising the same between the municipalities and the Province in such manner as the board may deem most equitable. Apportioning expenses of preparing list.
- (6) The lists as so prepared, revised and certified shall be the polling lists to be delivered to the deputy returning officers for use at the polling places. Polling list.
- (7) Where it appears to the Chief Election Officer that it is impracticable to carry out any of the provisions of the preceding subsections of this section, he may cause such arrangements to be made for preparing the polling list as he may deem proper under the circumstances, and it shall be the duty of the clerk of the peace to carry out any directions or instructions given by the Chief Election Officer under this section, but nothing in this section shall authorize any name to be placed upon or omitted from the polling list which is not contained in Part I or Part III of the voters' list prepared by the clerk of the municipality except so far as may be necessary to give effect to the changes made upon the revision of the list by the revising officer. Special directions by Chief Election Officer when necessary.

**11.** Subsection 4 of section 86 of *The Election Act* is amended by adding after the word "opened" in the second line the words "Form 20a." Rev. Stat., c. 8, s. 86, amended.

**12.** *The Election Act* is amended by adding thereto the following section: Rev. Stat., c. 8, amended.

86a.—(1) Where the name of a person is entered on the voters' list for a polling subdivision as entitled to vote at elections to the Assembly and such person is a mariner he shall be entitled to vote by proxy as in this section provided.

(2) A mariner may appoint in writing (Form 20b) a proxy who shall be the wife, husband, parent, brother, sister or child of the mariner, of the full age of twenty-one years and an elector entitled to vote in the electoral district in which the mariner is qualified to vote.

- (3) The appointment of a proxy shall name the person authorized to vote at an election for which a writ has been issued for the electoral district and no appointment of a proxy shall be valid unless it is made after the date of the issue of the writ of election nor shall it remain in force after the return of such writ.
- (4) A person who has been appointed a voting proxy may apply to the revising officer at the sittings held for the revision of the lists in accordance with the provisions of *The Voters' Lists Act* in the municipality in which the mariner is entitled to vote, to be entered upon such list.
- (5) The revising officer shall take evidence on oath as to the right of the mariner to vote in the subdivision of the municipality upon the list of which his name is entered and as to the qualifications of the voting proxy, and if he finds that the mariner is duly qualified and that the voting proxy is qualified to act for him, he shall give a certificate across the face of the appointment of such voting proxy to that effect (Form 20c), and shall cause the name of the voting proxy to be entered on the voters' list after the name of the mariner.
- (6) No more than one person shall be appointed a voting proxy on behalf of a mariner at the same election.
- (7) A ballot paper shall not be delivered to a person who claims to vote as a voting proxy unless he produces his appointment as a voting proxy to the deputy returning officer with the certificate of the revising officer thereon as provided in subsection 5, and takes the oath (Form 20d).
- (8) The deputy returning officer shall record in the poll book the fact that the mariner voted by proxy, showing the name of the proxy, and shall file the proxy and certificate with the election papers and return the same to the returning officer in the envelope provided for that purpose.
- (9) The Lieutenant-Governor in Council may prescribe any further or other forms which he may deem necessary for the purposes of this section and may make regulations as to the mode in which proxies may be given and generally for the better carrying into effect of the provisions of this section and preserving the secrecy of voting in pursuance thereof.



(10) A person who has been appointed as a voting proxy shall be entitled to vote in his own right in the electoral district notwithstanding that he has voted as a proxy for a mariner.

(11) Every person who,—

(a) attempts to vote at an election otherwise than by means of such voting proxy while the appointment of such voting proxy is in force; or

(b) votes or attempts to vote at any election under the authority of an appointment as a voting proxy when he knows or has reasonable grounds for supposing that such appointment has been cancelled or that the voter by whom the appointment has been made is dead or no longer entitled to vote,

shall be guilty of an illegal practice within the meaning of this Act and shall incur a penalty of \$200 and shall be imprisoned for six months.

**13.** Subsection 1 of section 143 of *The Election Act* is amended by inserting after the word "covering" in the third line thereof the words "securely locked."

Rev. Stat.,  
c. 8, s. 143,  
subs. 1,  
amended.  
Box in which  
papers  
returned.

**14.** Section 143 of *The Election Act* is amended by adding thereto the following subsections:

Rev. Stat.,  
c. 8, s. 143,  
amended.

(5) The returning officer shall at the same time or within ten days thereafter transmit to the Clerk of the Crown in Chancery in a box or other covering, securely locked, and sealed with the seal of the returning officer, all the packages of ballot papers not distributed by him to the deputy returning officers, all ballot paper returned to him by the printer, all documents, papers, stationery and supplies in his possession, all receipts for paper given to him for ballot paper, and a record of all ballot paper supplied to him by the Clerk of the Crown in Chancery and a complete record of its disposal.

Returning  
unused  
material.

(6) The returning officer shall paste upon the box mentioned in subsection 5, a label with the words "Unused Election Material" and also the name of the electoral district and the date of the election written or printed thereon.

Endorse-  
ment on  
package.

Rev. Stat.,  
c. 8, Sched.  
amended.

**15.** The Schedule of Forms to *The Election Act* is amended by adding thereto Forms 14a, 14b and 14c set out in the Schedule to this Act; by striking out Form 15 in the Schedule to *The Election Act* and inserting in lieu thereof Form 15 set out in the Schedule to this Act; by adding to the Schedule to *The Election Act* Forms 20a, 20b, 20c and 20d set out in the Schedule to this Act, and by striking out Form 32 in the Schedule to *The Election Act* and inserting in lieu thereof Form 32 as set out in the Schedule to this Act.

Commence-  
ment of Act.

**16.** This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE OF FORMS

THE ELECTION ACT

FORM 14a

(Referred to in section 71 (5) )

Receipt of Returning Officer for ballot paper received from Clerk of the Crown in Chancery.

I,....., Returning Officer for the Electoral District of ..... do hereby acknowledge that I have this day received from the Clerk of the Crown in Chancery..... sheets of ballot paper, ..... ballots to the sheet, total weight....., the same being for use at the vote to be taken on the..... day of....., 19...

Dated this .....day of....., 19...

.....  
Returning Officer.

THE ELECTION ACT

FORM 14b

(Referred to in section 71 (7) )

Receipt of Printer for ballot paper received from Returning Officer.

I (or We) do hereby acknowledge receipt of..... sheets of ballot paper, .....ballots to the sheet, from the Returning Officer for the Electoral District of..... the same to be printed as per instructions for use at the vote to be taken on the..... day of....., 19...

Dated this .....day of....., 19...

.....  
Printer.

THE ELECTION ACT

FORM 14c

(Referred to in section 73 (2) )

Receipt for ballot papers received from Returning Officer.

(Count your ballots, fill in this Form and forward at once to Returning Officer):

....., 19...

I,....., Deputy Returning Officer for Polling Subdivision No..... in the Electoral District of..... hereby acknowledge that I have received from Mr..... Returning Officer for the said Electoral District, ..... books of ballot papers and have carefully examined and counted them and find that they contain..... ballots.

.....  
Deputy Returning Officer.

THE ELECTION ACT

FORM 15

(Referred to in Section 71 (12) )

AFFIDAVIT OF PRINTER

Electoral District of } I,  
 } swear (or solemnly affirm)

(1) That by direction of the Returning Officer for the above named Electoral District, I printed the ballot papers for use at the election to be held on the..... day of....., 19..., (insert date of polling) on the paper furnished by him for that purpose.

(2) That the annexed form shows the description of the ballot papers printed by me as aforesaid.

(3) That I supplied the Returning Officer with.....of such ballot papers.

(4) That I returned to the Returning Officer.....spoiled ballot papers and.....unused sheets of ballot papers.

(5) That no other such ballot papers were printed by or supplied by me to anyone.

Sworn (or affirmed) before me at the }  
of } this  
day of } 19 . }

A Commissioner, etc.  
(or as the case may be).  
see section 9.

(The Returning Officer will be particular to see that copy of ballot paper is annexed).

THE ELECTION ACT

FORM 20a

(Referred to in section 86 (4) )

Notice of holding an advance poll (or polls) for railway employees, sailors and travellers.

Electoral District of.....

Notice is hereby given that pursuant to the provisions of *The Election Act* (section 86), a poll will be opened on the.....days of..... from the hours of two o'clock in the afternoon until five o'clock in the afternoon and from seven o'clock in the afternoon until ten o'clock in the afternoon of each of the several days.

The polling place for the Electoral District of.....will be located at.....for the purpose of receiving the votes of railway employees, sailors and travellers whose employment is such as to necessitate their absence from time to time from their ordinary place of residence, or who have reason to believe that they will be absent upon the day fixed for the election.

The ballot box will be opened and the votes counted at.....  
o'clock in the.....of.....the.....day  
of.....at the said place.

Dated at.....this.....day of....., 19...

.....  
*Returning Officer.*

THE ELECTION ACT.

FORM 20B.

(Referred to in Section 86a (2) ).

I,.....of the.....of.....  
in the County of.....in the Province of Ontario, being  
a voter entered on the Voters' List, with a right to vote at the pending  
Ontario Election in the Municipality of.....in the Electoral  
District of.....in the Province of Ontario, hereby  
nominate and appoint.....of.....  
in the County of.....as my true and lawful  
attorney for me and in my name to vote at the said Election;  
(occupation)

AND I HEREBY CERTIFY that I am a British subject, of the full  
age of twenty-one years, and otherwise entitled to vote at the said Election.

IN WITNESS WHEREOF I have hereunto set my hand on board the  
Steamship.....this.....day of  
....., A.D. 19....

WITNESS:

}  
}

THE ELECTION ACT.

FORM 20c.

(Referred to in Section 86a (5).)

CERTIFICATE OF REVISING OFFICER.

I, *A.B.*, the revising officer duly appointed under *The Voters' Lists Act*  
for the purpose of revising the voters' list to be used at the election now  
pending for the Electoral District of.....  
do certify that *C.D.*, a voter entered on the voters' list and having the  
right to vote at the pending election in the Municipality of.....  
in the Electoral District of....., duly appeared  
before me at my sittings for the revision of the lists for the Municipality of  
....., and that upon the evidence there tendered  
by him (*or on his behalf*) I find that *E.F.*, named in this appointment as  
a mariner, is duly qualified to vote at the said pending election, and  
that the said *C.D.* is a person duly qualified to act as proxy for the said  
mariner and to vote on his behalf at the said election.

Dated this..... day of....., 19....

.....  
*Revising Officer.*

THE ELECTION ACT.

FORM 20D.

(Referred to in Section 86a (7).)

FORM OF OATH TO BE ADMINISTERED TO A PROXY VOTING FOR A MARINER.

You swear—

(1) That you are a proxy for the person named by the name of . . . . .  
.....in the polling list now shown to you  
and that the said mariner is the person executing said proxy.

(2) That the said mariner is of the full age of twenty-one years.

(3) That the said mariner is a British subject.

(4) That the said mariner is not a citizen or subject of any foreign country.

(5) That the said mariner has resided within the Dominion of Canada for the twelve months last past, except for temporary absences as a mariner.

(6) That the said mariner has resided in the electoral district continuously for the two months last past, and is now actually resident or domiciled therein except for such temporary absences as a mariner.

(7) That the said mariner is not disqualified from voting at this election and is entitled to vote at this election and at this polling place.

(8) That you verily believe that the said mariner has not voted before at this election or at any other polling place.

(9) That you verily believe that the said mariner has not received anything or has anything been promised him directly or indirectly to induce him to vote at this election or for loss of time, travelling expenses, hire of conveyance or any service whatever connected with this election.

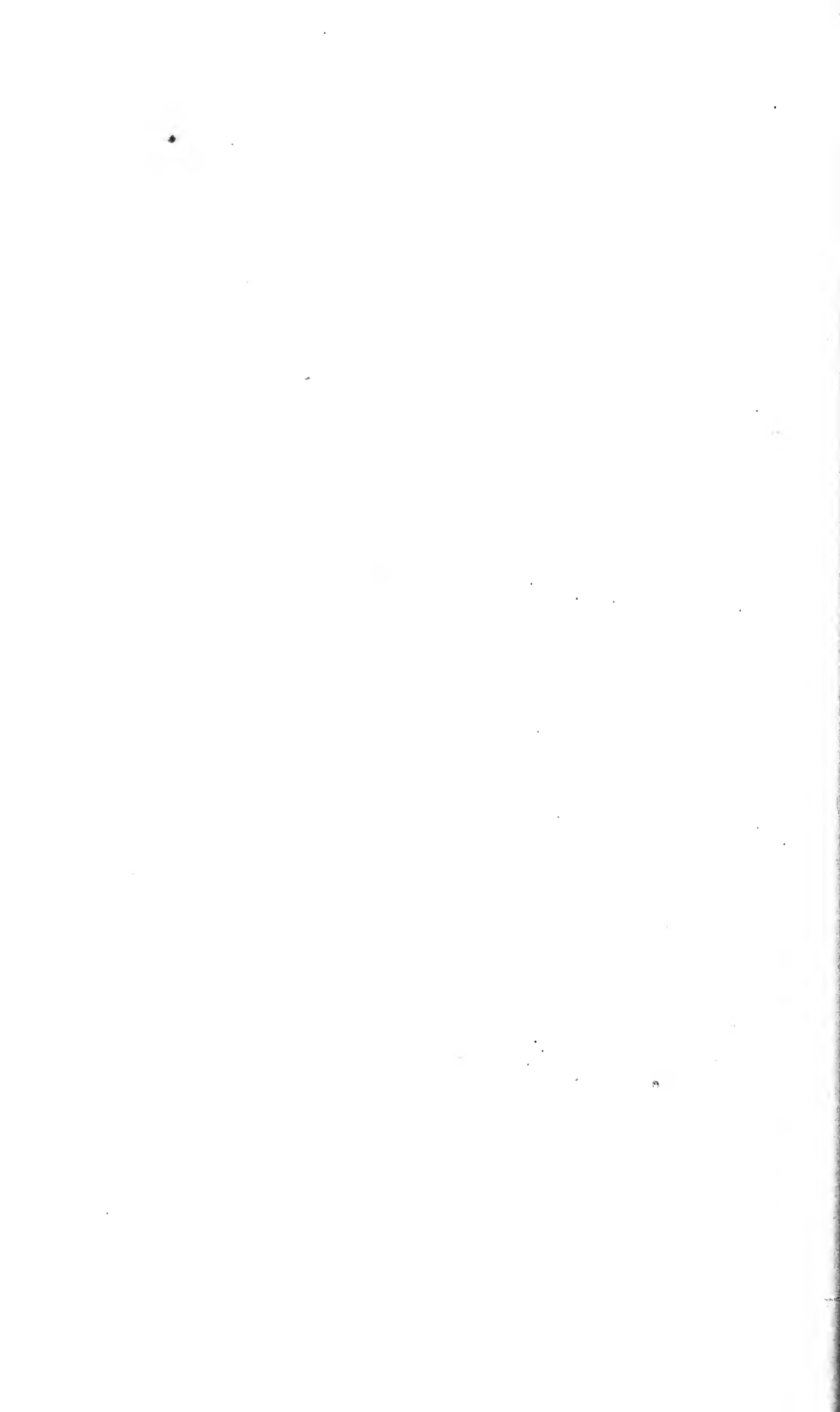
(10) That you verily believe that the said mariner has not directly or indirectly promised anything to any person to induce him to vote or refrain from voting at this election.

(11) That you have not been paid or promised or received anything for or in connection with voting on behalf of the said mariner and that you verily believe that the said mariner executed the said proxy in good faith.

(12) That you are voting on his behalf in good faith at this election.

So help you God.









3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Election Act.

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*1st Reading*

*February 4th, 1929*

*2nd Reading*

*February 6th, 1929*

*3rd Reading*

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MR. PRICE.

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*(Reprinted as amended by Select  
Committee.)*

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Election Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Election Act, 1929*. Short title.
2. Section 1 of *The Election Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 8, s. 1,  
amended.
  - (ii) "Mariner" shall mean and include any man or woman "Mariner." who is serving in His Majesty's naval forces of Great Britain or Canada, or is serving in any capacity on a mercantile vessel registered at a British port at the time of the issue of a writ for any provincial election.
3. Section 20 of *The Election Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 8, s. 20,  
amended.
  - (d) A mariner within the meaning of this Act.
4. Subsection 3 of section 54 of *The Election Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 8, s. 54,  
subs. 3,  
repealed.
  - (3) The number and location of the polling places shall in all cases be subject to the approval of the board and the chairman of the board shall certify in writing that the number of polling places and their location are necessary and proper. Number and  
location of  
polls.
  - (3a) Where it is found that the returning officer has established a polling place which is unnecessary to accommodate the voters and that such polling place has not been approved by the board, the cost to the Province of establishing such poll and the conduct of the polling thereat shall be borne by the returning officer and deducted from his fee. Cost of  
unnecessary  
poll.

Rev. Stat.,  
c. 8, s. 57,  
amended.

5. Section 57 of *The Election Act* is amended by adding thereto the following subsection:

Imperfect  
nomination  
paper.

- (7) The returning officer shall not reject any nomination paper which is received before the time fixed for the close of nomination in the proclamation of the returning officer and which is signed by at least one hundred persons purporting to be residents of and electors in the electoral district, and if any nomination paper appears to the returning officer for any reason to be invalid he shall not reject the same until he has communicated the facts to the Chief Election Officer and the Chief Election Officer has in writing signed by him, authorized such rejection, and for the purposes of communicating with the Chief Election Officer the returning officer shall adjourn the proceedings until the hour of one o'clock on the next day following, when he shall at the same place announce the decision of the Chief Election Officer.

Rev. Stat.,  
c. 8, s. 71,  
repealed.

6. Section 71 of *The Election Act* is repealed and the following substituted therefor:

Weight of  
paper.

- 71.—(1) The paper used for printing the ballot papers shall be of the following weight; if foolscap paper is used it shall be of a weight of not less than sixteen pounds to the ream; if large post paper is used it shall be of a weight of not less than twenty-five pounds to the ream.

Paper to  
show secret  
marking.

- (2) The paper used shall contain a secret thread or other mark so placed as to run through each column of ballots ruled on every sheet of the ballot paper furnished.

Security  
to be  
furnished  
by manu-  
facturer.

- (3) The manufacturer of the paper shall be required to furnish security in such amount as may be fixed by the Lieutenant-Governor in Council, that none of the paper manufactured for use in printing the ballots shall be supplied by him to any other person than the King's Printer, and upon the delivery of the paper the number of sheets shall be counted by the King's Printer and a receipt therefor in writing signed by the King's Printer shall be given to the manufacturer.

King's  
Printer to  
furnish  
paper to  
Clerk of the  
Crown in  
Chancery.

- (4) The paper required for the printing of the ballot papers shall be furnished to the Clerk of the Crown

in Chancery by the King's Printer from time to time as may be required, and the King's Printer and the Clerk of the Crown in Chancery shall check the number of sheets of ballot paper so furnished and the Clerk of the Crown in Chancery shall give to the King's Printer a receipt in writing signed by him.

- (5) The Clerk of the Crown in Chancery shall personally deliver or transmit by express in a box or boxes locked and sealed with his seal to the returning officer for each electoral district a sufficient number of sheets of the paper for the printing of the ballots and the returning officer shall upon receipt of the same count the sheets and forward his receipt therefor (Form 14a) to the Clerk of the Crown in Chancery. Supply to be furnished to returning officer.
- (6) The returning officer shall procure to be printed on the paper furnished to him, as hereinafter provided, a sufficient number of ballot papers, not being less than the total number of voters in the electoral district. Returning officer to see to printing of ballots.
- (7) The printer shall count the sheets of ballot paper delivered to him and shall give a receipt therefor (Form 14b) to the returning officer, and the returning officer shall transmit the same with the other papers relating to the election to the Clerk of the Crown in Chancery. Returning officer to give receipt for ballot paper.
- (8) The names of the candidates, alphabetically arranged in the order of their surnames, shall be printed on the ballot paper, and it shall be provided with a counterfoil and a stub, and there shall be a line of perforations between the ballot and the counterfoil and between the counterfoil and the stub, the whole as in Form 16. Form of ballot.
- (9) The ballot papers shall be numbered on the back of the stub and the counterfoil, the same number being printed or written on the stub as on the counterfoil, and shall be bound or stitched in books containing twenty-five, fifty or one hundred ballot papers, as may be most suitable for supplying the polling subdivisions proportionately to the number of voters in each. Numbering ballot papers.
- (10) All ballot papers shall be of the same description and as nearly alike as possible. Uniformity.

Printer's name. (11) The ballot papers shall bear upon the back the name of the printer who prints them.

Affidavit of printer. (12) The printer shall with the ballot papers deliver to the returning officer an affidavit (Form 15).

Rev. Stat., c. 8, s. 72, amended. **7.** Section 72 of *The Election Act* is amended by adding thereto the following words: "He shall when delivering the same make a record of the numbers on the ballots delivered to each deputy returning officer and this record shall be returned to the Clerk of the Crown in Chancery along with other documents required to be returned to him."

Record of numbers on ballots.

Rev. Stat., c. 8, s. 73, amended. **8.** Section 73 of *The Election Act* is amended by adding thereto the following subsection:

Receipt to be given by deputy returning officer. (2) Immediately upon receipt of the ballot papers from the returning officer, the deputy returning officer shall count the same and forward the receipt therefor (Form 14c) to the returning officer.

Rev. Stat., c. 8, amended. **9.** *The Election Act* is amended by adding thereto the following section:

Custody of ballot paper. **73a.** The Clerk of the Crown in Chancery shall cause a check to be made before each general election and at least once in every year, of all ballot paper furnished to him and such paper shall be kept at all times under lock and key and no one shall have access to the place in which it is kept except the Clerk of the Crown in Chancery or some person acting directly under his authority.

Rev. Stat., c. 8, s. 74, amended. **10.** Section 74 of *The Election Act* is amended by adding thereto the following subsections:

Alphabetical list to be prepared by clerk of the peace. (3) Where the Chief Election Officer so directs the clerk of the peace shall prepare for revision by the revising officers as provided in *The Voters' Lists Act*, a list, prepared alphabetically or by street numbers, containing the names of all persons entitled to vote at elections to the Legislative Assembly in the polling subdivision as shown upon Part I and Part III of the voters' list, and notwithstanding anything in *The Voters' Lists Act* contained the list so prepared shall be the list to be revised by the revising officers and shall be posted up, and revised, and certified in the same manner as lists prepared, revised and certified under *The Voters' Lists Act*.

List to be set up in type. (4) To avoid expenses to the municipalities concerned and to the Province, after the preparation of the

list the Chief Election Officer may direct that the same shall be typewritten, set up in type and the type kept standing until after the revision and the changes made upon the revision incorporated in the list.

- (5) Where the lists are prepared and set up as provided in subsections 3 and 4 it shall be the duty of the board to apportion the expense of preparing, printing and revising the same between the municipalities and the Province in such manner as the board may deem most equitable. Apportioning expenses of preparing list.
- (6) The lists as so prepared, revised and certified shall be the polling lists to be delivered to the deputy returning officers for use at the polling places. Polling list.
- (7) Where it appears to the Chief Election Officer that it is impracticable to carry out any of the provisions of the preceding subsections of this section, he may cause such arrangements to be made for preparing the polling list as he may deem proper under the circumstances, and it shall be the duty of the clerk of the peace to carry out any directions or instructions given by the Chief Election Officer under this section, but nothing in this section shall authorize any name to be placed upon or omitted from the polling list which is not contained in Part I or Part III of the voters' list prepared by the clerk of the municipality except so far as may be necessary to give effect to the changes made upon the revision of the list by the revising officer. Special directions by Chief Election Officer when necessary.

**11.** Subsection 4 of section 86 of *The Election Act* is amended by adding after the word "opened" in the second line the words "Form 20a." Rev. Stat., c. 8, s. 86, subs. 4, amended.

**12.** *The Election Act* is amended by adding thereto the following section: Rev. Stat., c. 8, amended.

- 86a.—(1) Where the name of a person is entered on the voters' list for a polling subdivision as entitled to vote at elections to the Assembly and such person is a mariner he shall be entitled to vote by proxy as in this section provided. Mariner's right to vote by proxy.
- (2) A mariner may appoint in writing (Form 20b) a proxy who shall be the wife, husband, parent, brother, sister or child of the mariner, of the full age of twenty-one years and an elector entitled to vote in the electoral district in which the mariner is qualified to vote. Appointment of proxy.

Term  
of appoint-  
ment.

(3) The appointment of a proxy shall name the person authorized to vote at an election for which a writ has been issued for the electoral district and no appointment of a proxy shall be valid unless it is made after the date of the issue of the writ of election nor shall it remain in force after the return of such writ.

Application  
of proxy to  
be entered  
on list.

(4) A person who has been appointed a voting proxy may apply to the revising officer at the sittings held for the revision of the lists in accordance with the provisions of *The Voters' Lists Act* in the municipality in which the mariner is entitled to vote, to be entered upon such list.

Evidence to  
be taken by  
revising  
officer.

(5) The revising officer shall take evidence on oath as to the right of the mariner to vote in the subdivision of the municipality upon the list of which his name is entered and as to the qualifications of the voting proxy, and if he finds that the mariner is duly qualified and that the voting proxy is qualified to act for him, he shall give a certificate across the face of the appointment of such voting proxy to that effect (Form 20c), and shall cause the name of the voting proxy to be entered on the voters' list after the name of the mariner.

Not more  
than one  
proxy.

(6) No more than one person shall be appointed a voting proxy on behalf of a mariner at the same election.

Oath  
on voting.

(7) A ballot paper shall not be delivered to a person who claims to vote as a voting proxy unless he produces his appointment as a voting proxy to the deputy returning officer with the certificate of the revising officer thereon as provided in subsection 5, and takes the oath (Form 20d).

Record  
of voting by  
proxy.

(8) The deputy returning officer shall record in the poll book the fact that the mariner voted by proxy, showing the name of the proxy, and shall file the proxy and certificate with the election papers and return the same to the returning officer in the envelope provided for that purpose.

Forms and  
regulations.

(9) The Lieutenant-Governor in Council may prescribe any further or other forms which he may deem necessary for the purposes of this section and may make regulations as to the mode in which proxies may be given and generally for the better carrying into effect of the provisions of this section and preserving the secrecy of voting in pursuance thereof.



(10) A person who has been appointed as a voting proxy shall be entitled to vote in his own right in the electoral district notwithstanding that he has voted as a proxy for a mariner. Proxy may vote in own right.

(11) Every person who,—

Offences

(a) attempts to vote at an election otherwise than by means of such voting proxy while the appointment of such voting proxy is in force; or Voting after appointing proxy.

(b) votes or attempts to vote at any election under the authority of an appointment as a voting proxy when he knows or has reasonable grounds for supposing that such appointment has been cancelled or that the voter by whom the appointment has been made is dead or no longer entitled to vote, Proxy voting after annulment.

shall be guilty of an illegal practice within the meaning of this Act and shall incur a penalty of \$200 and shall be imprisoned for six months. Penalty.

**13.** Subsection 1 of section 143 of *The Election Act* is amended by inserting after the word “covering” in the third line thereof the words “securely locked.” Rev. Stat., c. 8, s. 143, subs. 1, amended. Box in which papers returned.

**14.** Section 143 of *The Election Act* is amended by adding thereto the following subsections: Rev. Stat., c. 8, s. 143, amended.

(5) The returning officer shall at the same time or within ten days thereafter transmit to the Clerk of the Crown in Chancery in a box or other covering, securely locked, and sealed with the seal of the returning officer, all the packages of ballot papers not distributed by him to the deputy returning officers, all ballot paper returned to him by the printer, all documents, papers, stationery and supplies in his possession, all receipts for paper given to him for ballot paper, and a record of all ballot paper supplied to him by the Clerk of the Crown in Chancery and a complete record of its disposal. Returning unused material.

(6) The returning officer shall paste upon the box mentioned in subsection 5, a label with the words “Unused Election Material” and also the name of the electoral district and the date of the election written or printed thereon. Endorsement on package.

Rev. Stat.,  
c. 8, Sched.  
amended.

**15.** The Schedule of Forms to *The Election Act* is amended by adding thereto Forms 14*a*, 14*b* and 14*c* set out in the Schedule to this Act; by striking out Form 15 in the Schedule to *The Election Act* and inserting in lieu thereof Form 15 set out in the Schedule to this Act; by adding to the Schedule to *The Election Act* Forms 20*a*, 20*b*, 20*c* and 20*d* set out in the Schedule to this Act, and by striking out Form 32 in the Schedule to *The Election Act* and inserting in lieu thereof Form 32 as set out in the Schedule to this Act.

Commence-  
ment of Act.

**16.** This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE OF FORMS

THE ELECTION ACT

FORM 14a

(Referred to in section 71 (5) )

Receipt of Returning Officer for ballot paper received from Clerk of the Crown in Chancery.

I,....., Returning Officer for the Electoral District of....., do hereby acknowledge that I have this day received from the Clerk of the Crown in Chancery..... sheets of ballot paper,..... ballots to the sheet, total weight....., the same being for use at the vote to be taken on the..... day of....., 19...

Dated this .....day of....., 19...

.....  
Returning Officer.

THE ELECTION ACT

FORM 14b

(Referred to in section 71 (7) )

Receipt of Printer for ballot paper received from Returning Officer.

I (or We) do hereby acknowledge receipt of..... sheets of ballot paper,..... ballots to the sheet, from the Returning Officer for the Electoral District of..... the same to be printed as per instructions for use at the vote to be taken on the..... day of....., 19...

Dated this .....day of....., 19...

.....  
Printer.

THE ELECTION ACT

FORM 14c

(Referred to in section 73 (2) )

Receipt for ballot papers received from Returning Officer.

(Count your ballots, fill in this Form and forward at once to Returning Officer).

....., 19...

I,....., Deputy Returning Officer for Polling Subdivision No..... in the Electoral District of..... hereby acknowledge that I have received from Mr..... Returning Officer for the said Electoral District,..... books of ballot papers and have carefully examined and counted them and find that they contain..... ballots.

.....  
Deputy Returning Officer.

THE ELECTION ACT

FORM 15

(Referred to in Section 71 (12) )

AFFIDAVIT OF PRINTER

Electoral District of } I,  
 } swear (or solemnly affirm)

(1) That by direction of the Returning Officer for the above named Electoral District, I printed the ballot papers for use at the election to be held on the..... day of....., 19..., (insert date of polling) on the paper furnished by him for that purpose.

(2) That the annexed form shows the description of the ballot papers printed by me as aforesaid.

(3) That I supplied the Returning Officer with.....of such ballot papers.

(4) That I returned to the Returning Officer.....spoiled ballot papers and.....unused sheets of ballot papers.

(5) That no other such ballot papers were printed by or supplied by me to anyone.

Sworn (or affirmed) before me at the  
of this  
day of 19 .

A Commissioner, etc.  
(or as the case may be).  
see section 9.

(The Returning Officer will be particular to see that copy of ballot paper is annexed).

THE ELECTION ACT

FORM 20A

(Referred to in section 86 (4) )

Notice of holding an advance poll (or polls) for railway employees, sailors and travellers.

Electoral District of.....

Notice is hereby given that pursuant to the provisions of *The Election Act* (section 86), a poll will be opened on the.....days of..... from the hours of two o'clock in the afternoon until five o'clock in the afternoon and from seven o'clock in the afternoon until ten o'clock in the afternoon of each of the several days.

The polling place for the Electoral District of.....will be located at.....for the purpose of receiving the votes of railway employees, sailors and travellers whose employment is such as to necessitate their absence from time to time from their ordinary place of residence, or who have reason to believe that they will be absent upon the day fixed for the election.

The ballot box will be opened and the votes counted at .....  
o'clock in the ..... of ..... the ..... day  
of ..... at the said place.

Dated at ..... this ..... day of ..... , 19...

.....  
*Returning Officer.*

THE ELECTION ACT.

FORM 20B.

(Referred to in Section 86a (2) ).

I, ..... of the ..... of .....  
in the County of ..... in the Province of Ontario, being  
a voter entered on the Voters' List, with a right to vote at the pending  
Ontario Election in the Municipality of ..... in the Electoral  
District of ..... in the Province of Ontario, hereby  
nominate and appoint ..... of .....  
in the County of ..... as my true and lawful  
attorney for me and in my name to vote at the said Election;

AND I HEREBY CERTIFY that I am a British subject, of the full  
age of twenty-one years, and otherwise entitled to vote at the said Election.

IN WITNESS WHEREOF I have hereunto set my hand on board the  
Steamship ..... this ..... day of  
....., A.D. 19....

WITNESS:

}

THE ELECTION ACT.

FORM 20C.

(Referred to in Section 86a (5).)

CERTIFICATE OF REVISING OFFICER.

I, A.B., the revising officer duly appointed under *The Voters' Lists Act*  
for the purpose of revising the voters' list to be used at the election now  
pending for the Electoral District of .....  
do certify that C.D., a voter entered on the voters' list and having the  
right to vote at the pending election in the Municipality of .....  
in the Electoral District of ..... , duly appeared  
before me at my sittings for the revision of the lists for the Municipality of  
....., and that upon the evidence there tendered  
by him (or on his behalf) I find that E.F., named in this appointment as  
a mariner, is duly qualified to vote at the said pending election, and  
that the said C.D. is a person duly qualified to act as proxy for the said  
mariner and to vote on his behalf at the said election.

Dated this ..... day of ..... , 19....

.....  
*Revising Officer.*

THE ELECTION ACT.

FORM 20D.

(Referred to in Section 86a (7).)

FORM OF OATH TO BE ADMINISTERED TO A PROXY VOTING  
FOR A MARINER.

You swear—

(1) That you are a proxy for the person named by the name of . . . . .  
.....in the polling list now shown to you  
and that the said mariner is the person executing said proxy.

(2) That the said mariner is of the full age of twenty-one years.

(3) That the said mariner is a British subject.

(4) That the said mariner is not a citizen or subject of any foreign  
country.

(5) That the said mariner has resided within the Dominion of Canada  
for the twelve months last past, except for temporary absences as a  
mariner.

(6) That the said mariner has resided in the electoral district con-  
tinuously for the two months last past, and is now actually resident or  
domiciled therein except for such temporary absences as a mariner.

(7) That the said mariner is not disqualified from voting at this election  
and is entitled to vote at this election and at this polling place.

(8) That you verily believe that the said mariner has not voted before  
at this election or at any other polling place.

(9) That you verily believe that the said mariner has not received any-  
thing or has anything been promised him directly or indirectly to induce  
him to vote at this election or for loss of time, travelling expenses, hire of  
conveyance or any service whatever connected with this election.

(10) That you verily believe that the said mariner has not directly or  
indirectly promised anything to any person to induce him to vote or  
refrain from voting at this election.

(11) That you have not been paid or promised or received anything  
for or in connection with voting on behalf of the said mariner and that  
you verily believe that the said mariner executed the said proxy in good  
faith.

(12) That you are voting on his behalf in good faith at this election.

So help you God.









Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Election Act.

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*1st Reading*

March 27th, 1929.

*2nd Reading*

March 27th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Election Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Election Amendment Act, 1929.* Short title.

2. Section 28 of *The Election Act* is repealed and the following substituted therefor,— Rev. Stat., c. 8, s. 28, repealed.

28. Every writ of election shall be addressed to the sheriff, or to the registrar of deeds, or to one of the sheriffs or one of the registrars of deeds, or to the local registrar of the Supreme Court, for the electoral district, or some portion of the electoral district for which the election is to take place. Who to be returning officers.

3. Subsection 1 of section 71 of *The Election Act* is amended by adding thereto the following words: "He shall when delivering such paper to the printer, secure a receipt for the quantity so delivered and when taking delivery of shall carefully count the number of ballots received from such printer and give his receipt therefor. He shall also secure from the printer a return of all unused paper or a certified statement, accounting for the same." Rev. Stat., c. 8, s. 71, subs. 1, amended. Delivery of ballot paper to printer.

4. Subsection 4 of section 71 of *The Election Act* is repealed and the following substituted therefor,— Rev. Stat., c. 8, s. 71, subs. 4, repealed.

(4) The paper required for the printing of the ballot papers shall be furnished by the King's Printer, to the Clerk of the Crown in Chancery who shall at all times have a complete record of such paper in his possession, certified by his signature, and such paper shall be supplied to the returning officer by the Clerk of the Crown in Chancery in a box or boxes securely locked and sealed, when the writ for the election is transmitted to him, or as soon there- Paper for ballots, how furnished. Record of paper.

Receipt of  
returning  
officer.

after as possible, together with a signed statement of the amount so supplied. The returning officer upon the receipt of the same shall furnish the Clerk of the Crown in Chancery with a receipt for the amount of paper supplied to him.

Rev. Stat.,  
c. 8, s. 72,  
amended.

Record  
of numbers  
on ballots.

5. Section 72 of *The Election Act* is amended by adding thereto the following words: "He shall when delivering the same make a record of the numbers on the ballots delivered to each deputy returning officer and this record shall be returned to the Clerk of the Crown in Chancery along with other documents required to be returned to him."

Rev. Stat.,  
c. 8, s. 95,  
amended.

Numbers to  
be shown  
to voter.

6. Section 95 of *The Election Act* is amended by adding thereto the following words: "Immediately before delivering such ballot paper to the voter the deputy returning officer shall show the agents of all candidates the numbers on the stub and counterfoil."

Rev. Stat.,  
c. 8, s. 99,  
amended.

Agents to  
be shown  
ballot paper.

7. Section 99 of *The Election Act* is amended by inserting after the word "shall" in the tenth line thereof, the following words: "after showing it clearly to the agents of all candidates, and."

Rev. Stat.,  
c. 8, s. 143,  
subs. 1,  
amended.

Box in which  
papers  
returned.

8. Subsection 1 of section 143 of *The Election Act* is amended by inserting after the word "covering" in the third line thereof the words "securely locked."

Rev. Stat.,  
c. 8, s. 143,  
amended.

9. Section 143 of *The Election Act* is amended by adding thereto the following subsections:—

Returning  
unused  
material.

(5) The returning officer shall at the same time or within ten days thereafter transmit to the Clerk of the Crown in Chancery in a box or other covering, securely locked, sealed with the seal of the returning officer all the packages of ballot papers not distributed by him to the deputy returning officers, all ballot paper returned to him by the printer, all documents, papers, stationery and supplies in his possession, all receipts for paper given to him for ballot paper, and a record of all ballot paper supplied to him by the Clerk of the Crown in Chancery and a complete record of its disposal.

Endorse-  
ment on  
package.

(6) The returning officer shall endorse on the package mentioned in subsection 5, the words "Unused Election Material" and also the name of the electoral district and the date of the election.

Record  
of contents  
of package.

(7) The Clerk of the Crown in Chancery upon the receipt of such package shall open the same and a

complete record of the contents thereof shall be made, and shall be filed in the office of the Clerk of the Crown in Chancery.

- (8) The account of the returning officer in respect of the election to which the documents relate shall not be paid, except upon the report of the Clerk of the Crown in Chancery, that the provisions of this section have been complied with by the returning officer.

Account  
not to be  
paid until  
section com-  
plied with.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

Ontario  
19 George V, 1929

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BILL

An Act to amend The Election Act.

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*1st Reading*

February 4th, 1928.

*2nd Reading*

*3rd Reading*

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MR. SINCLAIR.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Highway Traffic Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Highway Traffic Act, 1929*. Short title

2. *The Highway Traffic Act* is amended by adding thereto Rev. Stat., c. 251, amended. the following section,—

- 20a.—(1) Whenever a final judgment for a sum exceeding Automatic suspension of license or permit for failure to satisfy judgment. \$50 is hereafter recovered in any court of this Province in an action for damages for injury to, or death of, a person, or for injury to property, caused by the operation of any motor vehicle on the highways of the Province, and such judgment remains unsatisfied and unstayed for a period of sixty days after the entry thereof, the judgment creditor may file a transcript of such judgment duly authenticated with the Registrar of Motor Vehicles, and thereupon the Registrar shall forthwith suspend the license, if any, of the judgment debtor and the permit of any and every motor vehicle registered in the name of such judgment debtor and such suspension shall not be removed nor shall any new permit or license be issued until proof that such judgment has been stayed, satisfied or otherwise discharged of record, except by discharge in bankruptcy, is filed with the Registrar.
- (2) No person whose license or permit has been so Prohibition against issue new license or permit during suspension. suspended shall, during the period of such suspension, apply for or procure the issue to him of a new permit or license.
- (3) Any person whose license or permit has been so Penalty for driving while license or permit suspended. suspended who drives a motor vehicle during the period of such suspension, shall incur a penalty of not less than \$100 and not more than \$500 and shall also be liable to imprisonment for a term not exceeding thirty days.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Highway Traffic Act.

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*1st Reading*

February 4th, 1929.

*2nd Reading*

*3rd Reading*

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Mr. MACAULAY.

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TORONTO:  
Printed by



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# BILL

## An Act to amend The Jurors' Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Jurors' Act, 1929.* Short title.

2. The clause lettered *a* in section 3 of *The Jurors' Act* is amended by striking out the word "sixty" and inserting in lieu thereof the words "sixty-five," so that the first five lines and clause *a* of the said section will now read as follows,—

Rev. Stat.,  
c. 96, s. 3,  
cl. a.  
amended.

3. The following persons shall be exempt from being returned and from serving as grand or petit jurors, and their names shall not be entered on the rolls prepared and reported by the selectors of jurors as hereinafter mentioned,—

Exemption  
from services  
on account  
of age.

(a) Every person sixty-five years of age or upwards.

3. This Act shall come into force on the 1st day of June, 1929. Commence-  
ment of  
Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Jurors' Act.

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*1st Reading*

February 4th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the Queen's Most Excellent Majesty.

# BILL

## An Act to amend The Jurors' Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Jurors' Act, 1929.* Short title.

2.—(1) The clause lettered *a* in section 3 of *The Jurors' Act* is amended by striking out the word "sixty" and inserting in lieu thereof the words "sixty-five," so that the first five lines and clause *a* of the said section will now read as follows:

Rev. Stat.  
c. 96, s. 3,  
cl. a,  
amended.

3. The following persons shall be exempt from being returned and from serving as grand or petit jurors, and their names shall not be entered on the rolls prepared and reported by the selectors of jurors as hereinafter mentioned,—

Exemption  
from services  
on account  
of age.

(a) Every person sixty-five years of age or upwards.

(2) The said section 3 is further amended by adding at the end of the clause lettered *w* the words "and every person permanently employed by any public commission, carrying on the business of developing, transmitting or distributing electrical power or energy."

Rev. Stat.  
c. 96, s. 3,  
cl. w,  
amended.

Exemption  
from jury  
service.

3. Section 80 of *The Jurors' Act* is amended by adding at the end thereof the words: "see Consolidated Rules of Practice 1913 Tariff C. Item 6)."

Rev. Stat.  
c. 96, s. 80,  
amended.

4. Section 101 of *The Jurors' Act* is amended by striking out in Item 4, the figures ".15," and inserting in lieu thereof the figures ".20," and by adding the following items:

Rev. Stat.  
c. 96, s. 101,  
amended.

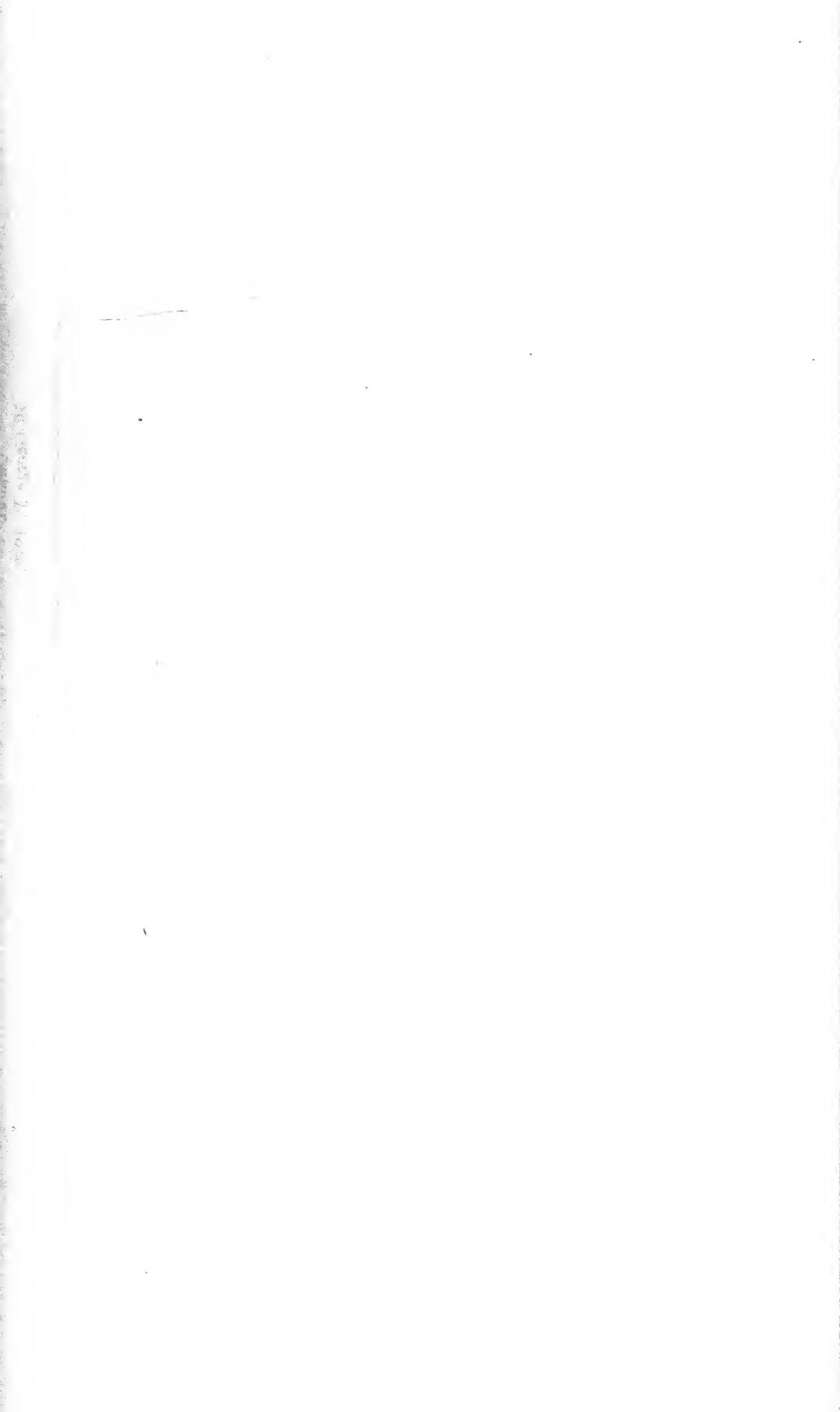
9. For every notice to jury not to attend, section 62 (7)..... \$0 25

10. Attending, locking up or feeding petit juries, or taking grand jurors to inspect institutions (exclusive of disbursements). For each jury.. 4 00

- 11. For each daily checking of jury panel (section 91)..... \$1 00
- 12. For certifying and returning list of jury panel to treasurer (section 91)..... 1 00
- 13. When sheriff acts as county selector of juries per diem (section 99)..... 4 00

Commence-  
ment of  
Act.

**5.** This Act except section 2, shall come into force on the day upon which it receives the Royal Assent, and section 2 shall come into force on the 1st day of June, 1929.



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BILL.

An Act to amend The Jurors' Act.

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*1st Reading*

February 4th, 1929.

*2nd Reading*

February 6th, 1929.

*3rd Reading*

March 25th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Municipal Franchises Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Municipal Franchises Act*, Short title.  
1929.

**2.** Section 1 of *The Municipal Franchises Act* is amended Rev. Stat.,  
c. 240, s. 1,  
amended. by adding thereto the following clause:

(d) "Gas" shall include natural gas, artificial gas, or any "Gas,"—  
meaning of. mixture of natural gas and artificial gas.

**3.** Subsection 1 of section 3 of *The Municipal Franchises Act* is amended by striking out the words "including natural gas" in the seventh line thereof. Rev. Stat.,  
c. 240, s. 3,  
subs. 1,  
amended.

**4.—(1)** The clause lettered *a* in section 6 of *The Municipal Franchises Act* is amended by striking out the word "natural" Rev. Stat.,  
c. 240, s. 6,  
cl. a,  
amended. in the sixth line thereof.

(2) The clause lettered *b* in the said section 6 is amended Rev. Stat.,  
c. 240, s. 6,  
cl. b,  
amended. by striking out the word "natural" in the second line thereof.

**5.** This Act shall come into force on the day upon which Commence-  
ment of  
Act. it receives the Royal Assent.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Municipal  
Franchises Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. McCREA.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Municipal Franchises Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Municipal Franchises Act*, Short title. 1929.

2. Section 1 of *The Municipal Franchises Act* is amended by adding thereto the following clause: Rev. Stat., c. 240, s. 1, amended.

(d) "Gas" shall include natural gas, artificial gas, or any mixture of natural gas and artificial gas. "Gas,"— meaning of.

3. Subsection 1 of section 3 of *The Municipal Franchises Act* is amended by striking out the words "including natural gas" in the seventh line thereof. Rev. Stat., c. 240, s. 3, subs. 1, amended.

4.—(1) The clause lettered *a* in section 6 of *The Municipal Franchises Act* is amended by striking out the word "natural" in the sixth line thereof. Rev. Stat., c. 240, s. 6, cl. a, amended.

(2) The clause lettered *b* in the said section 6 is amended by striking out the word "natural" in the second line thereof. Rev. Stat., c. 240, s. 6, cl. b, amended.

5. Section 6 of *The Municipal Franchises Act* is amended by inserting before the word "except" at the commencement of the section the words "subject to the provisions of section 2 and except as therein provided and", and by striking out the words "or electric light or power" after the word "gas" in the sixth and seventh lines of clause *a* in the said section, so that the first two lines and the said clause *a* will now read as follows: Rev. Stat., c. 240, s. 6, amended.

6. Subject to the provisions of section 2 and except as therein provided and except where otherwise expressly provided this Act shall not apply to a by-law,— Exceptions.

Works  
originating  
in another  
municipality.

- (a) granting the right of passing through the municipality for the purpose of continuing a line, work or system which is intended to be operated in or for the benefit of another municipality and is not used or operated in the municipality for any other purpose except that of supplying natural gas in a township to persons whose land abuts on a highway along or across which the same is carried or conveyed, or to persons whose land lies within such limits as the council by by-law passed from time to time determines should be supplied with any of such services.

Commence-  
ment of Act.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.



Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Municipal  
Franchises Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 22nd, 1929.

*3rd Reading*

March 26th, 1929.

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MR. McCREA.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Mining Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Mining Act, 1929*. Short title.

**2.**—(1) Clause *e* of section 81 of *The Mining Act* is repealed and the following substituted therefor,— Rev. Stat.,  
c. 45, s. 81,  
cl. (e),  
repealed.

(*e*) For the first instalment of work, except where the Minister of Lands and Forests has restricted the time for performing the same to a stated period, between the 16th day of November and the 15th day of April, both days inclusive, but this shall not have the effect of extending the time for the performance of any subsequent instalment of work.

(2) The said section 81 is further amended by adding at the end the words—“but notwithstanding anything contained in this Act where the Minister of Lands and Forests has restricted the work to a stated period the work shall be performed within such period.” Rev. Stat.,  
c. 45, s. 81,  
amended.

**3.** Subsection 1 of section 88 of *The Mining Act* is amended by inserting after the word “default” in the second line, the words “or the Minister at any time, after such three months, on report of the judge.” Rev. Stat.,  
c. 45, s. 88,  
subs. 1,  
amended.

**4.** Part VIII of *The Mining Act* containing sections 153 to 174 of the said Act is repealed and the following substituted therefor,— Rev. Stat.,  
c. 45, ss. 153-  
174,  
repealed.

### PART VIII.—OPERATION OF MINES.

#### REGULATIONS.

**153.**—(1) In this Part “qualified” or “authorized” shall mean properly qualified or authorized to perform specified duties under conditions existing. Inter-  
pretation.  
“Qualified.”  
“Author-  
ized.”

Responsibility as to qualifications.

- (2) Subject to the requirements of this Act, and except as otherwise herein provided, responsibility for the authorization and decisions as to the qualifications of the employees shall rest with the employer or his agent. R.S.O. 1927, c. 45, s. 153 (1, 2); *amended*.

"Inspector."  
"Chief Inspector."

- (3) Wherever the term "Inspector" is used in this Part it shall mean the Inspector of Mines, and "Chief Inspector" shall mean the Chief Inspector of Mines. *New*.

*Employment in and about Mines.*

Restrictions on employment of children.

- 154.—(1) No male person under the age of sixteen years shall be employed in or about any mine, or under the age of eighteen years below ground in any mine. R.S.O. 1927, c. 45, s. 154.

Girls and women.

- (2) Except as a stenographer, bookkeeper or in some similar capacity, no girl or woman shall be employed at mining work or allowed to be for the purpose of employment at mining work in or about any mine. R.S.O. 1927, c. 45, s. 155.

Certificate of qualification.

- 155.—(1) A person shall not be employed or act underground in the capacity of a foreman, mine captain, shift boss, stope boss, trammer boss, level boss, chute blaster or motorman unless he is the holder of a certificate issued by the Mines Inspection Branch stating that he is familiar with such portions of these regulations as apply to the work under his charge, and is able to give and receive orders or instructions in the English language.

Cancellation of certificate.

- (2) If at any time a person being the holder of any certificate issued by the Mines Inspection Branch under this Act, shall in the opinion of an inspector be guilty of inattention or negligence in the execution of his duties, or of any misconduct, or shall suffer from any physical infirmity likely to be detrimental to the efficient discharge of his duties, such inspector may immediately suspend or cancel such certificate.

Appeal.

- (3) In the event of suspension or cancellation of any such certificate by an inspector, the holder of such certificate shall have the right to appeal from such a decision to the Chief Inspector within fourteen days after receiving notice that his certificate has been suspended or cancelled by filing with the Chief Inspector or with the inspector for the district concerned, a written statement setting forth the grounds upon which the appeal is based. *New*.

156.—(1) No workman shall remain or be allowed to remain underground in any mine for more than eight hours in any consecutive twenty-four hours, which eight hours shall be reckoned from the time he arrives at his place of work in the mine until the time he leaves such place, provided however, that,

(a) a Saturday shift may work longer hours for the purpose of avoiding work on Sunday or changing shift at the end of the week or giving any of the men a part holiday;

(b) the said limit of time shall not apply to a foreman, pump man, cage-tender, or any person engaged solely in surveying or measuring, nor shall it apply in cases of emergency, where life or property is in imminent danger, or in any case of repair work or to any mine where the number of men working in a shift does not exceed six.

(2) In this section,—

Inter-  
pretation.

“Workman” means any person employed underground in a mine who is not the owner or agent or an official of the mine;

“Workman.”

“Shift” means any body of workmen whose hours for beginning and terminating work in the mine are the same or approximately the same.

“Shift.”

(3) Where any question or dispute arises as to the meaning or application of clause *b* of subsection 1, or as to the meaning of “workman,” “shift,” or “underground,” the certificate of the inspector shall be conclusive.

Certificate  
of inspector.

(4) For greater certainty it is hereby declared that sections 174, 174*a*, 178, 179 and 180 of this Act shall apply to contraventions of this section; provided, however, that a workman shall not be guilty of an offence for failure to return to the surface within the time limited by this section if he proves that without fault on his part he was prevented from returning owing to means not being available for the purpose.

Application  
of sections  
as to  
penalties.

(5) In the event of great emergency or grave economic disturbance, the Lieutenant-Governor in Council may suspend the operation of this section to such an extent and for such period as he deems fit; or as

Suspension  
of operation  
of section.

regards any iron mine, the Lieutenant-Governor in Council may, upon the recommendation of the Minister, in like manner suspend the operation of this section in so far as such mine is concerned.

Commence-  
ment.

- (6) This section shall come into effect on the 1st day of January, 1914, in all those parts of the Province without county organization, and in the remaining parts of the Province at such time as may be named by the Lieutenant-Governor by his proclamation. R.S.O. 1927, c. 45, s. 156.

Age limit,  
hoistmen,  
handling  
men.

- 157.—(1) No person under the age of twenty years and no person who has not had at least one month's experience on a reversing hoist shall be allowed to have charge of any hoisting engine by means of which persons are hoisted, lowered or handled in a shaft, or winze at any time.

Age limit.

- (2) No person under the age of eighteen years shall be allowed to have charge of any hoisting engine or hoisting apparatus of any kind at a mine. R.S.O. 1927, c. 45, s. 157 (1. 2).

Medical  
certificate  
required  
from hoist-  
men.

- (3) No person shall be employed or undertake to act as a hoistman unless he has in his possession a certificate from a qualified medical practitioner stating that he has examined the person so employed within the previous twelve months and that at the time of such examination he was not suffering from any infirmity, mental or bodily, likely to interfere with the efficient discharge of his duties as a hoistman. *New.*

Examination  
for presence  
of silicosis.

Rev. Stat.,  
c. 179.

- 158.—(1) Every workman employed underground in any mine shall be examined by a medical officer appointed under the provisions of *The Workmen's Compensation Act* relating to silicosis at least once in every twelve months, and every applicant for underground work to whom the certificate mentioned in subsection 2 has not been issued shall be so examined.

Medical  
certificate.

- (2) If the medical officer finds upon examination that the workman is free from tuberculosis of the respiratory organs, he shall certify in the prescribed form that such is the case, and shall deliver the certificate to the workman.

Term of  
certificate.

- (3) Every such certificate shall remain in force for not more than twelve months from the date of issue, and if so required by the manager or superintendent of



the mine in which the workman is employed, it shall be delivered to and remain in the custody of such manager or superintendent during the period of the workman's employment, and shall be returned to him on his being discharged from or leaving the same.

- (4) A like certificate shall be required in the case of a <sup>Ore or rock</sup> workman engaged in any ore or rock-crushing operation <sup>crushing operations</sup> at the surface of the mine except where the ore <sup>at surface.</sup> or rock is crushed in water or a chemical solution and is kept constantly in a moistened or wet condition.
- (5) Except as provided in subsection 4 a workman as to whom such a certificate is not in force shall not be employed in underground work in any mine or in ore or rock-crushing operations at the surface of any mine.
- (6) The Chief Inspector of Mines may exempt from the <sup>Exemptions.</sup> foregoing provisions of this section such mines as do not contain silica in quantity likely to produce silicosis, or which for any other good and sufficient reason the said Chief Inspector deems should be exempt, nor shall such provisions apply to workmen employed underground for a less period than fifty hours in any one calendar month.
- (7) The Lieutenant-Governor in Council may make <sup>Regulations.</sup> regulations prescribing the nature of the medical examination to be made and the form of certificate to be issued under the foregoing provisions of this section and generally for the better carrying out of requirements of this section. 1928, c. 16, s. 3.
159. Where a contravention of any of the next preceding five sections (viz., sections 154 to 158) takes place, <sup>Penalty</sup> the owner or agent of the mine, or both of them, <sup>for employ-</sup> may be proceeded against, jointly or separately, and <sup>ment of</sup> may be convicted of such offence, but neither the <sup>persons con-</sup> owner or the agent shall be so convicted if he proves <sup>trary to Act.</sup> that the offence was committed without his knowledge or consent, and that he had caused notices of the said sections to be posted up, and to be kept posted up, at some conspicuous place at or near the entrance to the mining work. R.S.O. 1927, c. 45, s. 158.
- 160.—(1) Where a mine has been abandoned or the work <sup>Fencing of</sup> therein has been discontinued, the owner or lessee <sup>abandoned</sup> thereof or any other person interested in the mineral <sup>or unworked</sup> mines.

of the mine shall cause the top of the shaft and all entrances from the surface as well as all other pits and openings dangerous by reason of their depth, to be and to be kept securely fenced to the satisfaction of the inspector.

Failure to erect fence after notice.

- (2) Every such person who, after notice in writing from the inspector fails to comply with his directions as to such fencing within the time named in the notice shall be guilty of an offence against this Act.

When inspector may erect.

- (3) Where the inspector finds that any such fencing is required in order to avoid danger to health or property he may cause the work to be done and may pay the costs incurred out of any moneys provided for the purposes of this Act, and the amount of such costs, with interest thereon, shall be a lien and charge upon the mine or mining work, and no further transfer or other dealings with the mine or mining work shall take place until such amount is paid.

Recovery of costs of work.

- (4) The amount of such costs with interest thereon shall be due from the owner or lessee to the Crown and recoverable at the suit of the inspector in any court of competent jurisdiction. R.S.O. 1927, c. 45, s. 159.

*Inquest to be held in Case of Fatality.*

Coroner to hold inquest in case of fatality in a mine.

- 161.—(1) The coroner who resides nearest to a mine wherein or in connection wherewith any fatal accident has occurred, shall forthwith conduct an inquest, but if he is in any way in the employment of the owner or lessee of the mine he shall be ineligible to act as coroner, and any other coroner shall, upon application to any person interested, forthwith issue his warrant and conduct such inquest, and this section shall be his authority for so doing whether his commission extends to such territory or not.

Right of the inspector or his representatives to be present at inquest.

- (2) The inspector and any person authorized to act on his behalf shall be entitled to be present and to examine or cross-examine any witness at every inquest held concerning a death caused by an accident at a mine, and if the inspector or someone on his behalf is not present, the coroner shall, before proceeding with the evidence adjourn the inquest and give the Deputy Minister not less than four days' notice of the time and place at which the evidence is to be taken. R.S.O. 1927, c. 45, s. 160.

## RULES.

*Rules for Protection of Miners.*

- 162.—(1) Where the owner, agent or manager of a mine by his application in writing stating his reasons therefor, requests the Chief Inspector to suspend the requirements of any rule under this section as to such mine upon the ground that such rule is not reasonably applicable to his operations, the Chief Inspector may in writing direct that the requirements of such rule shall not apply to such mine, or may in writing direct that such rule shall not apply so long as such limitations and conditions as the Chief Inspector may see fit to impose, are observed or complied with. <sup>Suspension of rule.</sup>
- (2) The Chief Inspector may at any time cancel any order made by him under subsection 1, or make such alterations therein as he may deem proper in view of any change in the conditions under which such order was made, or upon it appearing to him that such change for any other cause is advisable. <sup>Cancellation of suspension.</sup>
- (3) The manager of a mine may make rules not inconsistent with any rule herein set out, or any special direction made by the Chief Inspector as hereinbefore provided, for the maintenance of order and discipline and the prevention of accidents in the mine, and may submit any rule so made to the Chief Inspector, who shall lay the same before the Minister for his approval, and upon such approval being given the rules shall take effect after they have been posted up in a conspicuous place at the mine for at least fourteen days, provided that the Minister may disallow any of such rules or direct such changes to be made in them as he may deem proper. <sup>Manager of mine may make rules.</sup>
- (a) Every such rule after approval and when and so long as it is posted up and is legible shall have the same force and effect as the rules and regulations set out in this Act and any person who contravenes any such rule shall incur the penalty provided for a breach of the rules and regulations contained in this Act.
- (4) Where in any of the rules set out in this section no particular person is referred to as being responsible for compliance therewith the manager of the mine <sup>Responsibility as to carrying out rules.</sup>

shall be deemed to be so responsible, but any person through whose neglect or wrongful act a contravention of any rule shall occur, shall also be deemed to have incurred the penalties provided for a breach of the rules and may be proceeded against therefor without prejudice to any responsibility or liability on the part of the manager or any other person.  
*New.*

163. Subject to the provisions of section 162, the following rules shall be observed and carried out at every mine.

*Ventilation.*

Ventilation.

1. There shall be a sufficient amount of ventilation so that the shafts, adits, tunnels, winzes, raises, sumps, levels, stopes, cross-cuts, underground stables and other working places of the mine and the travelling roads to and from such working places shall be in a fit state for working and passing therein, and in all portions of a mine, where the natural ventilating current is insufficient, suitable mechanical appliances shall be provided and operated.

Fans.

2. All fans except "Booster" fans shall be above ground and shall be reversible and all fans and structures containing the same shall be fireproof.

*Fire Prevention.*

Inflam-  
mable.  
refuse.

3. All inflammable refuse shall be removed from every working place underground at least once in every twenty-four hours and shall be brought to the surface and there disposed of in a suitable manner.

Com-  
bustible  
waste.

4. Every shift boss and mine captain shall certify at least once a week that there is no accumulation of combustible waste or rubbish underground in the area under his supervision except as reported by him.

Oil and  
grease.

5. Oil and grease kept underground shall be contained in suitable metal receptacles and the amount so kept shall not exceed the requirements for seven days.

Timber.

6. All timber not in use in a mine shall as soon as practicable be taken from the mine and shall not be piled up and permitted to decay therein.

7. All underground structures necessary for the installation, maintenance and repair of machinery and equipment shall be fireproof. Underground structures to be fireproof.
8. Calcium carbide shall be stored on the surface only, in a suitable dry place and in its original container. It shall only be taken into a change house or shaft house in sufficient quantity for the day's use, and such precautions shall be taken as will ensure its being safely handled. No carbide shall be taken underground except in watertight containers. Storage of carbide.
9. Fire protection systems shall be installed at all underground crushers, tipples and in all shafts. Fire prevention systems at underground crushers, etc.
10. Every person who has sunk in any mine a vertical or inclined shaft to a greater depth than 100 feet, and who has drifted a distance of 200 feet or more from the shaft and has commenced to stope, shall provide and maintain, in addition to the hoisting shaft or the opening through which men are let into or out of the mine and the ore is extracted, a separate escapement shaft or opening. Such auxiliary exit shall not be less than fifty feet from the main hoisting shaft and shall not be covered by any inflammable structure. If such an escapement shaft or opening is not in existence at the time that stoping is commenced, work upon it shall be begun as soon as stoping is commenced and shall be diligently prosecuted until the same is completed and means of escapement other than the main shaft shall be provided to and connected with the lowest workings in the mine. The escapement shaft or opening shall be of sufficient size to afford an easy passageway, and shall be provided with good and substantial ladders from the deepest workings to the surface. With the exception of any erection used solely as a shaft-house, no permanent building, for any purpose, shall be erected within fifty feet of the mouth of a mine, unless there is such an auxiliary exit. Escapement shafts.
11. Legible signs showing the way to emergency exits shall be posted in prominent places underground and all workmen shall be instructed as to the location of auxiliary exits. Legible signs showing exits.
12. Every mine which has a maximum production of 100 tons of ore per day shall be equipped with the necessary mechanical apparatus so that the stench, ethyl mercaptan, may be introduced into the air line as a warning signal to underground workmen. Equipment for warning workmen underground.

- Installation of boilers. 13. No boiler shall be installed within one hundred feet of the collar of any shaft.
- Fire doors. 14. There shall be a sufficient number of fire doors at every underground station so that the shaft can be completely cut off from the rest of the mine.
- Underground connection with other mine. 15. Whenever the Chief Inspector deems it necessary for the protection of persons employed underground in a mine he may order an underground connection to be made with an adjoining mine and the cost of any work rendered necessary by such order shall be apportioned and borne in such manner as the Chief Inspector may direct, but an appeal shall lie to the Minister from any order made under this rule and the Minister may annul, alter or modify any order made by the Chief Inspector.
- Cost.

*Sanitation.*

- Sanitary conveniences. 16. The manager of a mine shall provide or cause to be provided on the surface and in the underground workings sufficient and suitable sanitary conveniences in accordance with the following rules:
- (a) Where the number of persons employed on any shift does not exceed one hundred there shall be one sanitary convenience for every twenty-five persons or proportion thereof;
- (b) Where the number of persons so employed exceeds one hundred there shall be one additional sanitary convenience for every fifty persons or proportion thereof over the first hundred.
17. These sanitary conveniences must be kept in a cleanly manner; must be adequately supplied with chloride of lime, sawdust, fine ash or other suitable absorbent; must be removed and cleaned regularly; must be conveniently placed with reference to the number of men employed on the different levels; and must be placed in a well ventilated part of the mine.
18. Any person depositing faeces in any place underground other than in the sanitary conveniences provided, shall be guilty of an offence against this Act.

19. If more than ten persons to each shift are ordinarily employed in the mine below ground, sufficient accommodation, including supplies of clean cold and warm water for washing, shall be provided above ground near the principal entrance of the mine, and not in the engine room, boiler room, or nearer than fifty feet to the shaft house, for enabling the persons employed in the mine to conveniently dry and change their clothes. <sup>Dressing room.</sup>

*Care and Use of Explosives.*

20. All explosives shall be kept in special buildings called magazines and no magazine for explosives shall be maintained on any mining property except with the written permission of the Chief Inspector and the site and style of any such structure shall be subject to his approval. Where possible, the site of the magazine shall be distant at least four hundred feet from the mine and works or any public highway. The magazine shall be constructed of materials and in a manner to insure safety against explosion from any cause, and shall be either so situated as to interpose a hill or rise of ground higher than the magazine between it and the mine and works, or an artificial mound of earth as high as the magazine and situate not more than thirty feet from it shall be so interposed. Magazines shall be kept securely locked and it shall be indicated by some easily visible sign that explosives are stored therein. The rules with reference to the care and use of explosives shall be kept posted inside the magazine. <sup>Storage of explosives.</sup>
21. Magazines (which shall include thawing houses) shall at all times be kept clean and dry and free from grit. <sup>Magazines.</sup>
22. Floors and shelves shall be washed at such regular intervals and with such materials as shall be approved by an inspector and all traces of explosives shall be removed from floors and shelves. <sup>Floors and shelves.</sup>
23. When supplies of explosives are removed from a magazine those that have been longest in the magazine shall be used first provided they are not defective. In all cases where explosives have become defective they shall be suitably and safely disposed of. <sup>What explosives to be used first.</sup>
24. Cases containing explosives shall not be opened in the magazine, and only implements of wood, brass or copper shall be used in opening the cases. <sup>Opening cases.</sup>

- When blasting to be done by electric current.
25. After the first ten feet advance has been made in any shaft or winze, and after twenty-five feet advance has been made in any raise inclined at over fifty degrees from the horizontal, all blasting shall be done by means of an electric current.
- Amount of explosives to be stored underground.
26. Explosives shall not be stored underground in any mine to an amount in excess of the necessary supply for twenty-four hours and in no case exceeding three hundred pounds at any one time.
- Storage of explosives.
27. No explosive shall be stored within two hundred feet of any shaft station, pump station, crusher station, transformer station or repair shop underground in any mine.
- Storage of detonators.
28. Detonators shall not be stored in the same receptacle as other explosives or nearer than twenty-five feet thereto.
- Transportation of detonators.
29. Detonators shall not be transported in any shaft conveyance with any other explosive except that in shaft sinking prepared primers may be carried in the skip or bucket with the explosive destined for actual loading into the holes at the face.
- Naked light.  
Smoking.
30. No naked light shall be taken into any magazine or place where explosives are kept, and no person shall smoke in a magazine or place where explosives are kept or while handling explosives.
- Inspection of stores of explosives in a mine.
31. The manager, captain or other officer in charge of a mine shall make a thorough daily inspection of the condition of the explosives in or about the same, and shall make an immediate investigation when an act of careless placing or handling of explosives is discovered by or reported to him.
- Offence to be reported to the inspector or Crown Attorney.
- (a) Any employee who commits a careless act with an explosive or where explosives are stored, or who, having discovered it, omits or neglects to report immediately such act to an officer in charge of the mine, shall be guilty of an offence against this Act, and the officer in charge of the mine shall immediately report such offence to the inspector or to the Crown Attorney of the county or district in which the mine is situate.



32. No building for thawing explosives shall be maintained in connection with any mine except with the written permission of an inspector. The building shall be above ground and the site of the building and the style of structure and equipment shall be subject to the approval of the inspector. The building shall be under the direction of the manager or some person authorized by him. The quantity of explosives brought into any thawing house at any one time shall not exceed the requirements of the mine for a period of twenty-four hours, plus the amount that it may be necessary to have thawing to maintain that supply. <sup>Thawing houses.</sup>
33. In no case shall powder be thawed near an open fire or steam boiler or by direct contact with steam or hot water, nor shall any electrical device for generating heat be allowed in the same compartment with explosives. <sup>Thawing near open fire or steam boilers forbidden.</sup>
34. A reliable reading thermometer shall be kept in the room in which explosives are thawed and the record thereof kept, but where the amount of explosives in such thawing room does not exceed two hundred pounds at any one time, the Chief Inspector may give permission, in writing, to use a maximum and minimum registering thermometer on condition that a daily record of high and low temperature be made and kept on file. <sup>Thermometer necessary.</sup>
35. In charging holes for blasting, no iron or steel tool or rod shall be used, and no iron or steel shall be used in any hole containing explosives, and no drilling shall be done in any hole that has been charged or blasted. <sup>No iron or steel to be used in charging holes.</sup>
36. When a workman fires a round of holes he shall, where possible, count the number of shots exploding. If there is any report missing, he shall report the same to the mine captain or shift boss. If a missed hole has not been fired at the end of a shift, that fact, together with the location of the hole, shall be reported by the mine captain or shift boss to the mine captain or shift boss in charge of the next relay of workmen before work is commenced by them. <sup>Reporting of missed holes.</sup>
37. No fuse shorter than three feet shall be used in any blasting operation. In the case of a supposedly missed hole no person shall return to the place of blasting within thirty minutes of the time of lighting <sup>Fuse.</sup>

the fuse. In a working place where more than two shots have been fired, no person shall return to the scene of a blast within the number of minutes which are equal to twice the number of feet in the longest fuse used in the blasting operation at hand.

Second light necessary.

38. In no case shall a workman light the fuse without having a second light placed conveniently close.

Due warning required.

39. Every workman shall, before blasting, give or cause to be given due warning in every direction by shouting "Fire," and shall satisfy himself that all persons have left the working place except those required to assist him in blasting.

Guarding entrances to places where blasting is to be done.

40. Every workman shall, before blasting, cause all entrances to the place or places where such blasting is to be done or where the safety of persons may be endangered by such blasting, to be effectively guarded, so as to prevent inadvertent access to such place or places while such charges are being blasted.

Electric current to be disconnected after blasting.

41. A workman shall not, where blasting takes place by electricity, enter or allow other persons to enter the place or places where the charges have been fired until he has disconnected the cables from the blasting battery.

Notice of lowering of explosives required.

42. Immediately before any person conveys explosives in a shaft by means of machinery, he shall give or cause to be given notice to the hoistman, deckman and cage tender.

Explosives to be raised or lowered gently.

43. The hoistman shall gently lower or raise the cage or other conveyance containing explosives. No person shall place in or take out of the shaft conveyance any explosives except under the immediate supervision of the person authorized by the manager, mine captain or shift boss.

Explosives to be left only in authorized places at stations.

44. No person authorized to travel with explosives on any shaft conveyance and to distribute same shall leave any explosive at a station or stopping place, unless in a place provided for storage of explosives, but he shall personally deliver the same to another authorized person.

Explosives must not be moved from mine except by written permission of manager.

45. No person shall take away from a mine any explosive without the written permission of the manager or of such person as may be authorized by the manager to give such permission.

46. A charge which has missed fire shall not be withdrawn, but shall be blasted, and no drilling shall be done within a distance of ten feet of a missed hole or a cut-off hole containing explosive until it has been blasted, except that in shafts a foreman may blow explosives out of a misfired hole with compressed air carefully applied by means of a proper pipe. Charge missing fire to be blasted.
47. Before drilling is commenced in any working place the entire face shall be blown over with compressed air or water under pressure so as to expose any misfires or sockets. Procedure before drilling commenced.
48. No development heading shall be abandoned or work therein discontinued until the last round be mucked out and the face examined for possible missed or cut-off hole. Examination for missed or cut-off hole.
49. No explosive shall be removed from its original paper container or cartridge. Explosives not to be removed from original container.
50. All drill holes, whether sunk by hand or machine drills shall be of sufficient size to admit of the free insertion to the bottom of the hole of a stick or cartridge of powder, dynamite or other explosive, without ramming, pounding or pressure. Size of drill holes.
51. No explosive shall be used to blast or break up ore, salamander or other material where by reason of its heated condition there is any danger or risk of premature explosion of the charge. Blasting of roast heaps.
52. No explosive shall be used at any mine, unless there is plainly printed or marked on every original package containing such explosive the name and place of business of the manufacturer, and the strength, and the date of its manufacture. Every case of supposed defective fuse, detonator or powder shall be reported to the inspector with the name of the manufacturer and the serial number of the package from which such fuse detonator, or powder was taken. Defective explosives to be reported.
53. Where parties working contiguous or adjacent claims or mines disagree as to the time of setting off blasts, either party may appeal to the inspector, who shall decide upon the time at which blasting operations thereon may be performed, and the decision of the inspector shall be final and conclusive and shall be observed by them in future blasting operations. Blasting on contiguous claims.

Explosives not to be stored in closed mine.

54. When any mine is closed down all explosives shall be disposed of and no explosive may be stored in any such closed down mine without permission of an inspector.

Using electricity for firing shots.

55. Electricity from lighting or power cables shall not be used for firing shots, except when a special firing plug or switch is provided which plug or switch shall be placed in a fixed locked box, and shall only be accessible to the authorized shot firer.

Connection and disconnection.

56. The firing cables or wires shall not be connected to this box until immediately before they are required for the firing of shots, and shall be disconnected immediately after the shots are fired.

Firing cables.

57. The firing cables or wires used for firing shots at one working place shall not be used for firing shots in another working place until all proper precautions have been taken to insure that such firing cables or wires have not any electrical connection with the leads from the first working place.

Precautions in using shot-firing cables.

58. When shot-firing cables or wires are used in the vicinity of power or lighting cables, sufficient precautions shall be taken to prevent the shot-firing cables or wires coming in contact with the lighting or power cables.

Wiring in powder magazines and thaws.

59. All electric wiring in powder magazines and thaws shall be installed in rigid conduit with screwed, waterproof joints, and such conduit shall be permanently grounded.

Switches to be outside of powder magazines and thaws.

60. The switches and fuses for lighting, heating or telephone circuits for powder magazines or thaws shall be installed in a locked fireproof cabinet on the outside of the building. The fuses for power used shall be such that they will interrupt the current at twenty-five per centum over the normal load. Fuses for lighting circuits shall not exceed 10-ampere capacity.

Electric heating of powder thaws.

61. Where water is the medium used for distribution of electrically generated heat for powder thaws the radiation pipes must be permanently grounded. Wire or grid type heaters shall not be installed in any building in which explosives are stored or handled.

*Protection in Working Places, Shafts, Winzes, Raises, etc.*

Protection of workmen in drifts.

62. Where a drift extends from a shaft in any direction on a level, a safe passage way and standing room for

workmen shall be made on one or both sides of the shaft to afford protection against falling material.

63. During shaft-sinking operations no work in any other place in the shaft shall be done, nor shall any material or tools be hoisted or lowered from or to any other place in the shaft while men are at work in the bottom of the shaft unless the men so at work be protected from the danger of falling material by a securely constructed covering extending over the whole area of the shaft, sufficient closable openings being left in the covering for the passage of men and the bucket or other conveyance used in the sinking operations, or by a substantial rock pentice. Protection of men while sinking shaft.
64. The top of every shaft shall be securely fenced or protected by a gate or guard rail, and every pit or opening dangerous by reason of its depth shall be securely fenced or otherwise protected. Fencing of shafts and other openings.
65. At all shaft and winze openings on every level, a gate or guard rail, not less than three feet or more than four feet above the floor, shall be provided and kept in place except when the cage, skip or bucket is being loaded or unloaded at such level. Protection of shaft and winze openings in levels.
66. Where the enclosing rocks are not safe every adit, tunnel, stope or other working in which work is being carried on, or persons passing, shall be securely cased, lined or timbered, or otherwise made secure. Securing walls of tunnels, etc.
67. Every shaft shall be properly timbered and such timbering shall be maintained within a distance of forty feet of the bottom of the shaft during sinking operations. Shaft to be timbered.
68. All raises inclined at over fifty degrees from the horizontal, which are to be carried up more than fifty feet from the floor of the level, shall be divided into two compartments, one of which shall be maintained as a ladderway and equipped with suitable ladders. The timbering shall be maintained within a distance of twenty-five feet of the face of the raise. Raises.
69. The top of every mill hole in a stope shall be kept covered. Covering mill holes in stope.
70. Underground workings, especially shafts, sumps and winzes, which have been in disuse for some time shall be examined before being again used, in order to Unused workings to be tested for gas.

ascertain whether foul air or other dangerous gases have accumulated there, and only such workmen as may be necessary to make such examination shall be allowed to proceed to such places until such places are in a fit state to work or travel in.

### *Handling Water*

Safety from water.

71. Every working mine shall be provided with suitable and efficient machinery and appliances for keeping the mine free from water, the accumulation or flowing of which might injuriously affect any other mine.

Bore holes necessary when approaching places likely to contain dangerous amount of water.

72. Where there is or may be an accumulation of water any working approaching the same shall have bore holes kept in advance, and such additional precautionary measures shall be taken as may be deemed necessary to obviate the danger of a sudden breaking through of the water.

73. No dam or bulkhead shall be erected without the permission of the inspector being first had and obtained and every such dam or bulkhead shall be designed to resist at least five times the estimated maximum pressure at the point of erection, and its location shall be clearly shown on the mine plans.

### *Ladderways.*

Construction of ladders.

74. Every ladder used shall be of strong construction; shall be securely fastened to the timbering or wall of shaft, winze, raise, or stope, and shall be maintained in good repair.

(a) The distance between centres of rungs of ladders shall not be greater than twelve inches or less than ten inches, and the spacing of rungs shall not vary more than one-half inch in any particular ladderway.

(b) In order to give a proper foothold the rungs shall in no case be closer than four inches from the wall of a shaft, winze or raise, or any timber underneath the ladder.

Position of ladders.

75. No ladder, except an auxiliary ladder used in sinking operations, may be fixed in a position inclined at over seventy degrees from the horizontal.

76. A suitable footway or ladderway shall be provided in every shaft. Ladders in shaft.
77. The ladder or passage-way in a shaft or winze shall be separated by a closely boarded partition from the compartment or division of the shaft or winze in which the material is hoisted. Foot ladder or passage in shaft to be separated from hoist.
78. Every ladder shall project at least three feet above its platform, except where strong hand rails are provided. Handrails for ladders.
79. In a shaft inclined at over seventy degrees from the horizontal a substantial platform shall be built at intervals not exceeding twenty feet in the ladderway, and the same shall be closely covered except for an opening large enough to permit the passage of a man's body, and the ladders shall be so placed as to cover this opening in the platform. Ladders and platforms in steeply inclined shafts.
80. In a shaft inclined at less than seventy degrees or more than fifty degrees from the horizontal the ladders may be continuous, but platforms shall be built at intervals not exceeding twenty feet, and so covered that only an opening large enough for the passage of a man's body is provided. Stairways may be used in a shaft inclined at less than fifty degrees from the horizontal. Ladders and platforms and stairways in shafts of a low angle.
81. Wire rope or strands of wire rope shall not be used or allowed to be used for climbing purposes in any mine if they are frayed or have projecting broken wires. Wire rope ladders.

*Raising or Lowering Persons.*

82. No person shall be lowered or hoisted, or allow himself to be lowered or hoisted, in a shaft, winze or other underground opening of a mine: When persons not to be hoisted.
- (a) In a bucket or skip, except that men employed in shaft sinking will be allowed to ascend and descend to and from the nearest level or other place of safety by means of the bucket or skip used for hoisting material, but there shall always be a suitable ladder in the shaft to provide an auxiliary means of escape; In buckets or skips.
- (b) In a cage or skip, except as provided in clause *a*, which is not provided with a hood, dogs and other safety appliances approved by the inspector; When safety appliances not used.

Cage loaded with material.

- (c) In a cage, skip, or bucket that is loaded with tools, powder, or other material, except for the purpose of handling the same.

Safety-cages in shafts over 400 feet deep.

83. Whenever a mine shaft exceeds four hundred feet in vertical depth, a safety cage shall be provided, kept and used for lowering and raising men in the shaft, unless otherwise permitted in writing by the inspector.

Hoisting after stoppage for repairs.

84. After any stoppage of hoisting for repairs, and after stoppage for any other purpose, which shall exceed two hours' duration, no person shall be raised or lowered until the cage or skip has made one complete trip up and down the working portion of the shaft.

Cages or skips, how to be constructed.

85. All cages or skips used for lowering or raising men shall be constructed as follows:

Hood.

- (a) The hood shall be made of steel plate not less than three-sixteenths of an inch in thickness;

Casing or netting.

- (b) The cage shall be provided with sheet iron or steel side casing not less than one-eighth of an inch in thickness, and with doors made of suitable material;

Doors.

- (c) The doors shall extend at least five feet above the bottom of the cage, and shall be closed when lowering or hoisting men;

Safety catch.

- (d) The safety appliances shall be of sufficient strength to hold the cage or skip with its maximum load at any point in the shaft, as provided in clause *b* of Rule 95 of this section; but the Chief Inspector may give permission, in writing, for hoisting, without safety appliances, if he is satisfied that the equipment is such that a maximum of safety is provided;

Operating chairs by lever.

- (e) The cage shall not have chairs attached thereto which are operated by a lever or a chain through or from the floor of the cage.

Protection from contact with timbering, etc.

86. No cage shall be used for the raising or lowering of persons unless it is so constructed as to prevent any portion of the body of any person riding therein from accidentally coming into contact with the timbering or sides of the shaft or winze. Doors shall be so fitted that they cannot be accidentally opened and shall be closed when lowering or hoisting men.



*Shaft Equipment.*

87. All crossheads shall be provided with a safety appliance of approved design so constructed that the crosshead cannot stick in the shaft without also stopping the bucket. Such safety appliances shall be subject to the approval of the inspector. Safety appliances for crossheads.
88. When a crosshead is not used the shaft compartment in which the bucket works shall be closely lined with sized lumber. When to be lined with lumber.
89. Where steel, timber or other material, being raised or lowered in a shaft or winze, projects above the top of the bucket, cage or skip, it shall be securely fastened to the top of the conveyance or to the hoisting rope. Material in cage bucket or skip to be fastened.
90. No bucket shall be allowed to leave the top or bottom of any shaft or winze until the workman in charge thereof has steadied it or caused it to be steadied. Bucket to be steadied.
91. In a shaft or winze, in the course of sinking, the bucket or skip shall not be filled with loose rock or ground above the level of the brim. Bucket or skip not to be filled above level of brim.
92. In a shaft or winze, in the course of sinking, the bucket or skip shall not be lowered directly to the bottom of the shaft if there are men working there, but shall be held at least fifteen feet above the bottom, and shall remain there until the signal to lower same has been given by the men on the bottom. Bucket or skip not to be stopped fifteen feet from bottom.
93. In handling material other than in a bucket, cage or skip, care shall be taken that such material is securely and safely fastened to the hoisting rope. A chain sling fastened by means of a grab hook shall not be used. A timber hitch around a stick of timber shall not be used unless accompanied by an additional half hitch, or other suitable means, to prevent timber slipping. Method of fastening material.

*Hoisting.*

94. The owner or manager of a mine, where a hoisting engine is in use, shall depute some competent person or persons whose duty it shall be to examine at least once in each week the sheave wheels, the hoisting Examination of hoisting equipment required.

rope and the attachments thereof to the drums and to the buckets, cages or skips, the brakes and depth indicators and the buckets, cages and skips and any safety catches attached thereto; the guides and hoisting compartments generally and the signalling arrangements; and the external parts of the hoisting engine.

Examination  
of cables.

95. Such owner or manager shall also depute a competent person who shall examine:

(a) At least once in each month the structure of the hoisting ropes with a view to ascertaining the deterioration thereof and for the purposes of this examination the rope must be thoroughly cleansed at points to be selected by said person, who shall note any reduction in the circumference of, and the proportion of wear in, the rope;

Safety  
appliances to  
be tested  
monthly.

(b) At least once a month the safety appliances of the cages or other shaft conveyances, so equipped, by testing same under load conditions; such test to consist of releasing the cage suddenly, in some suitable manner, so that the safety catches shall have opportunity to grip the guides; and in case the safety catches do not act satisfactorily the cage or other shaft conveyance shall not be used further for hoisting men until the safety catches have been repaired and been proved to act satisfactorily.

Defects to  
be remedied  
at once.

96. If, on any examination, as is hereinbefore required there is discovered any weakness or defect by which the safety of persons may be endangered, any such weakness or defect shall be immediately reported to the owner or manager or person in charge, and until such weakness or defect is remedied the hoisting plant shall not be used.

Machinery  
Record Book  
to be  
provided.

97. Such owner or manager shall keep or cause to be kept at the mine a book to be termed the "Machinery Record Book," in which shall be recorded a true report of every such examination as is hereinbefore referred to, signed by the person making the examination.

Length of  
ropes re-  
quired on  
drum when  
skip is at the  
bottom.

98. In case of hoisting engines there shall be not less than three rounds of rope upon the drum when the bucket, cage or skip is at the lowest point in the

shaft or winze from which hoisting is effected The end of the rope shall be properly fastened around the shaft or an arm of the drum.

99. In case a hoisting rope is used both for the raising and lowering of men and materials, the weight attached to the rope in the former case, when the bucket, cage or skip is bearing its authorized load shall not exceed eighty-five per centum of the maximum allowable weight when the rope is in use for other purposes. Hoisting both men and materials.
100. No new hoisting rope shall be used which is not accompanied by a certificate from the manufacturer giving the following information: Name and address of manufacturer—coil or reel number—date of manufacturer—diameter and circumference of rope in inches—weight per foot in pounds—number of strands—class of core—number of wires in strand—diameter of wires, decimals of an inch—breaking stress of steel of which wire is made, in tons per square inch—estimated breaking load of rope. This certificate or a copy of the same shall be recorded in a book known as the "Rope Record Book," which shall always be open for inspection by the Inspector of Mines, and which shall contain in addition the following information: Date of purchase—length of rope in feet—name of shaft and compartment in which rope is used—date on which put on—date of shortening—date of re-capping—date of turning end for end—dates of tests after shortening—breaking load of rope at these tests—date when rope was taken off. Rope certificate necessary.
101. A hoisting rope newly put on shall have the connecting attachments, between the bucket, cage or skip and the rope carefully examined by some competent and reliable person authorized by the owner, manager or department head, and shall not be used for ordinary transport of persons in any shaft or winze until two complete trips up and down the working portions of such shaft or winze have been made, the bucket, cage or skip bearing its authorized load. The result of such examination shall be recorded in the Rope Record Book. Examination of attachments.
102. At least once in every six months the hoisting rope shall have a portion not less than six feet in length cut off the lower end. With the exception of the cutting at the end of the first six months the length Testing portion of rope.

so cut off shall have the ends adequately fastened with binding wire to prevent the disturbance of the strands and shall be sent to a reliable testing laboratory for a breaking test. The certificate of such test shall be kept on file. This rule shall not come into effect until proclaimed by the Lieutenant-Governor in Council.

- Annealing. 103. At the periodical cutting of the rope the connection between the rope and the bucket, cage or skip shall be annealed.
- Rope dressing. 104. Every hoisting rope shall be treated with a suitable rope compound as often as necessary and at least once in every month.
- Spliced ropes not to be used. 105. In no case shall a hoisting rope be used which has been spliced.
- History of rope necessary. 106. No hoisting rope which has previously been in use in any place beyond the control of the owner or manager shall be put on anew except with the permission of the inspector.
- Factor of safety of hoisting rope. 107. The factor of safety of all hoisting ropes when newly installed in shafts less than 2,000 feet in depth shall in no case be less than six, and in shafts over 2,000 feet in depth and less than 3,000 feet in depth shall not be less than five. The factor of safety shall be calculated by dividing the breaking strength of the rope as given in the manufacturer's published tables by the sum of the maximum load to be hoisted plus the total weight of the rope in the shaft when fully let out.
- (a) No hoisting rope shall be used for the raising or lowering of men when its factor of safety based on its existing strength and dead load shall have fallen below 4.5.
- (b) No hoisting rope shall be used for the raising or lowering of men when the number of broken wires in one lay of said rope exceeds six, or when marked corrosion appears.
- Head sheaves. 108. Head sheaves shall be of such diameter as shall be suited to the rope in use.
- Hoisting men and material simultaneously. 109. No person shall travel or be permitted to travel in a bucket, cage or skip operated by an engine which is

being simultaneously used for the hoisting of mineral or material, except as provided for in clause c of Rule 82.

110. Hoisting from mine workings with horse and pulley-block is forbidden. Hoisting with horse and pulley-block.
111. The connection between the hoisting rope and the bucket, cage, skip or other means of conveyance shall be of such a nature, that the risk of accidental disconnection is reduced to a minimum. Connections between rope and bucket, etc.
112. On the drum of every machine used for lowering or raising persons there shall be such flanges or horns, and also, if the drum is conical, such other appliances as may be sufficient to prevent the rope or cable from slipping off. Slipping of rope on drums.
113. Where counterweights are used in shafts, the compartment in which they operate shall be securely enclosed: Counterweights.
- (a) Where a counterweight is used the cable attached to the counterweight shall be wound on a separate drum of the hoist where a double drum hoist is used or in the case of a single drum hoist it shall be wound on a separate division of the drum.
114. Where hoisting is done by means of an engine an adequate brake or brakes shall be attached to the drum of the hoist and kept in proper working order. Brakes required.
115. Such brakes shall be so arranged that, whether the engine is at work or at rest, they can be easily and safely manipulated by the hoistman when standing at the levers controlling the engine. No hoist used for the raising or lowering of persons, or used in shaft sinking, shall be equipped with a brake or brakes operated by means of a hoistman's foot unless such brake is an auxiliary electrical device. The adjustments of brake or brakes shall be maintained in such condition that when the normal power of the brake or brakes is applied the brake lever will still have a clearance between itself and the ends of the quadrant in which it works. Type of brake.
116. The operating gear of the clutch of the drum shall be provided with locking gear to prevent inadvertent withdrawal of the clutch. Locking gear.

Locking devices.

117. Such bolts and other fittings of the drums, brakes and clutches as might be a source of danger in the event of their becoming loosened shall be rendered secure by means of suitable locking devices.

Brakes to be tested.

118. The operator of a hoisting engine shall not, after going on shift, unclutch a drum of his engine until he has assured himself immediately beforehand, by testing the brake of the drum against the normal starting power of the engine, or in case of an electric hoist against the normal starting current, that the brake is in proper condition to hold the load suspended from said drum.

Friction clutches.

119. When the hoisting engines are fitted with friction clutches, the operator, after going on shift, shall, when clutching in, test the holding power of the clutch before releasing the brake of the corresponding drum, the brake of the other drum being kept off. In case of a steam or air hoist, the test shall be made against the normal starting power of the engine, and in case of an electric hoist against the normal starting current.

Use of brake when drum unclutched.

120. When the drum of a hoist is unclutched, the brake of such drum shall be used only for the purpose of maintaining such drum in a stationary position and lowering from an unclutched drum is prohibited.

Auxiliary brake required.

121. In case of non-reversible steam or air hoists and single-drum electric hoists, not used in balanced hoisting, an adequate auxiliary brake shall be installed on the drum of the hoist before the same shall be used for hoisting or lowering men, but non-reversible steam or air hoists with throttle-controlled exhaust shall not require such auxiliary brake.

Indicator required.

122. Every hoisting engine shall, in addition to any marks on the rope, be provided with a reliable depth indicator, which will clearly and accurately show to the operator at all times:

(a) the position of the bucket, cage or skip;

(b) at what positions in the shaft a change of gradient necessitates reduction in speed;

Exemption.

but this rule shall not apply to hoisting engines used in sinking operations when the hoistman has an

unobstructed view of the landing station and the distance from the landing station to the bottom of shaft does not exceed three hundred feet.

123. An indicator shall not be operated by a chain and sprocket arrangement but shall be driven by a suitable train of gears from its corresponding drum of the hoist. Operation of indicator.
124. All dial indicators shall be arranged in such manner that the pointer shall travel in a clockwise direction when the rope of the corresponding drum is lowering and the travel of the pointer shall be not less than one inch for each revolution of the drum. Arrangement of dial indicators.
125. The face of all indicators shall be devoid of any markings other than such marks as are necessary for the proper operation of the hoist and shall present a dead black surface with the required markings in white. Markings on indicator.
126. In every shaft exceeding six hundred feet in depth adequate provision shall be made whereby the hoistman is warned of the arrival of the bucket, cage or skip at a point in the shaft, the distance of which from the top landing place is not less than the equivalent of three revolutions of the drum of the hoisting engine. Warning signal.

#### *Haulage.*

127. No person shall ride upon or against any loaded car in any level, drift or tunnel in or about any mine. In mechanical haulage this shall not apply to train crews. Riding on loaded cars, etc.
128. On every level on which mechanical haulage is employed, a clearance of at least eighteen inches shall be maintained between the sides of the level and the cars, or there shall be a clearance of twenty-four inches on one side, or refuge stations shall be cut every one hundred feet. Clearance between cars and sides of level.
129. Control levers of storage and trolley locomotives shall be so arranged that the lever cannot be removed when power is on. Control levers.

*Scaling, Escapement Shafts, etc.*

Examination  
of mine  
workings.

130. The owner, manager, or other authorized person shall examine daily all parts of the mine where drilling and blasting is being carried on; shall examine at least once a week the other portions of a mine in which operations are being carried on, such as shafts, winzes, levels, stopes, drifts, crosscuts and raises, in order to ascertain that they are in a safe working condition; shall inspect and scale or cause to be inspected and scaled the roofs of all stopes or other working places as often as the nature of the ground and of the work performed necessitates.

Scaling bar  
to be  
provided.

131. The owner or manager shall provide and maintain and adequate supply of scaling bars, gads and other equipment necessary for scaling.

Life lines  
to be used.

132. The owner or manager shall, when necessary, provide life lines for the workmen and it shall be the duty of the workmen to continually wear such life lines while working in dangerous places.

*Signals.*

Signalling.

133. Every working shaft which exceeds fifty feet in depth, shall be provided with some suitable means of communicating by distinct and definite signals from the bottom of the shaft and from every level for the time being in work between the surface and the bottom of the shaft, to the hoist room.

Electrical  
signal sys-  
tems.

134. Where electrical signal systems are installed the system shall be so arranged that the hoistman shall return the signal to the person giving the signal when men are being hoisted or lowered.

Code of  
signals.

135. All methods of signalling in a mine shall be printed and posted up in the engine house or hoist house and also at the top of the shaft and at the entrance of each level.

The following code of mine signals shall be used at every mine:

- 1 bell.....Stop immediately—if in motion.  
1 bell.....Hoist.  
2 bells.....Lower.  
3 bells.....Men about to ascend or descend. When the hoistman receives this signal, he must not move cage for ten seconds after he has received the balance of the signal. In case he



is unable to act within one minute of the time he has received the signal, he shall not move hoist until he receives fresh signal. When the hoistman receives a 3-bell signal he shall remain at his levers until the full signal has been received and the act of hoisting or lowering completed.

- 4 bells..... Blasting signal. Engineer must answer by raising bucket, skip or cage a few feet and letting it back slowly, then one bell, hoist men away from blast.
- 9 bells..... Danger signal in case of fire, or other danger. Then ring number of station where danger exists.

136. Special signals, in addition to the above, may be used at any mine provided they are easily distinguishable by sound or otherwise from the foregoing code and do not interfere with it in any way and have been approved by Chief Inspector.

137. No person, unless duly authorized, shall give any signal for moving or stopping bucket, cage or skip. No signal shall be given unless the bucket, cage or skip is at the level from which the signal is to be given. No unauthorized person shall give any signal, other than the danger signal, or in anyway whatsoever interfere with the signalling arrangements.

Signal to be given only by authorized person.

138. A notice showing clearly the number of persons allowed to ride on, and the weight of materials allowed to be loaded on the cage or skip shall be posted at the collar of the shaft. The person authorized to give signals will be held responsible for observance of such notice. No person shall offer obstruction to the enforcement of such notice.

Notices to be posted showing number of men permitted to ride.

#### *Protection from Machinery*

139. Every fly-wheel, geared-wheel, bull-wheel, pulley or belt, and every opening through which any wheel or belt operates, shall be enclosed with a substantial railing or casing.

Railing or casing when required.

140. Every key, bolt, set-screw, and every part of any wheel or other revolving machinery which projects unevenly from the surface shall be covered.

Uneven projections to be covered.

- Runways, etc., used for oiling to have hand rail.
141. Every runway and staging used for oiling or other purposes more than five feet from the floor shall be provided with hand-railing.
- Protection of entrances.
142. Every entrance to any elevator, hatchway or well-hole shall be provided with a suitable trap-door, guard-rail, or automatically closing gate.
- Wearing loose clothing.
143. Persons engaged in dangerous proximity to moving machinery shall not wear or be allowed to wear loose outer clothing.
- Frogs in tracks.
144. Every frog in a track, either above or below ground, on which cars are moved by mechanical power shall have a guard block of wood or iron.
- Gongs, etc., on hauling engines.
145. Every locomotive engine, trolley or motor car used for hauling material, either above or below ground, shall be equipped with a gong, bell or whistle, which shall be sounded when starting and at such other times as warning of danger may be required.
- Grinding wheels to be guarded.
146. Power-driven grinding wheel shall be provided with a hooded guard of sufficient strength to withstand the shock of a bursting wheel. This guard shall be adjusted close to the wheel and extend forward, over top of the wheel, to a point at least thirty degrees beyond a vertical line drawn through the centre of the wheel.
- Counter-weights.
147. Every counterweight shall be so situated or guarded that injury to any person would not be probable should it become detached from its fastenings.
- Stairways.
148. No stair exceeding five feet in height shall be built at a greater inclination than fifty degrees from the horizontal. All stairs exceeding five feet in height shall be provided with a substantial hand-rail.
- Guard rails at track approaches.
149. Guard rails shall be placed at the approach to railway tracks, where the view of such tracks is obstructed in one or both directions.
- Boilers.*
- Steam boilers.
150. Every steam boiler used for generating steam in or about a mine shall, whether separate or one of a range,—

- (a) have attached to it a proper safety-valve, and also a proper steam-gauge and water-gauge, to show respectively the pressure of steam and the height of water in each boiler; <sup>Safety valves.</sup>
- (b) be inspected by an Ontario Government boiler inspector or by an inspector of a boiler insurance company at least once in every twelve months; and a certified copy of the report of the inspection shall be forwarded to the inspector within seven days. <sup>Boiler inspection.</sup>

151. Every such boiler, safety-valve, steam-gauge and water-gauge shall be maintained in proper working condition. <sup>Maintenance.</sup>

*Dressing Rooms.*

152. If more than ten persons are ordinarily employed in the mine below ground, sufficient accommodation, including supplies of clean cold and warm water for washing, shall be provided above ground near the principal entrance of the mine, and not in the engine room, boiler room, or nearer than fifty feet to the shaft house, for enabling the persons employed in the mine to conveniently dry and change their clothes. <sup>Dressing room.</sup>

*Aid to Injured.*

153. At every mine a properly constructed stretcher shall be kept for the purpose of conveying to his place of abode any person who may be injured while in the discharge of his duties at the mine. <sup>Stretchers for conveyance of injured persons.</sup>

154. A supply of articles suitable for first aid shall be kept accessible at every mine for the treatment of anyone injured, including the following:—antiseptic gauze, carbolated vaseline, sponges, soap, carbolic acid, tablets of bichloride of mercury, linseed oil, bandages, towels and a wash basin, or such first-aid service as is required by the Workmen's Compensation Board of Ontario. <sup>Supplies for first aid.</sup>

155. At every mine or works where poisonous or dangerous compounds, solutions or gases are used or produced there shall be kept in a conspicuous place as near the same as practicable, a sufficient supply of satisfactory antidotes and washes for treating injuries received from such compounds, solutions or gases. Such antidotes and washes shall be properly labelled, and explicit directions for their use affixed to the boxes containing them. <sup>Antidotes and washes.</sup>

*Prevention of Dust.*

- Removal of dust. 156. In every mill or plant where, by reason of dry crushing or otherwise, there is in the air of the building dust in quantity to be injurious to health, suitable apparatus shall be installed for its removal.
- Keeping water supply to lay dust. 157. Every dusty place where work is being carried on in a mine shall be adequately supplied at all times with clean water under pressure or other approved appliances for laying the dust caused by drilling or blasting operations.
- Time for blasting. 158. The times for blasting shall be so fixed that the workmen shall be exposed as little as practicable to dust and smoke.

*Sand and Gravel Pits.*

- Undermining forbidden. 159. In open-pit workings of sand and gravel the method of removing material by undermining shall not be allowed. No vertical working place shall have a height of more than ten feet; where the thickness of material to be excavated exceeds ten feet in depth, the work shall be done in terraces, or at an angle of safety. This rule shall not apply to pits where the material is excavated solely by mechanical means.
- Rules for crane ropes. 160. All hoisting ropes used on cranes shall be subject to the same rules as are laid down for hoisting ropes at mines.
- Daily examination of cranes. 161. The owner or manager shall depute some qualified person or persons to examine daily such parts of the cranes or apparatus pertaining thereto upon the proper working of which the safety of persons depends. A record of such examinations shall be kept.
- Overwinding devices. 162. Every crane shall be equipped with suitable devices to prevent overwinding.
- Age of elevator operator. 163. No person under the age of eighteen years shall be allowed to operate an elevator.
- Age of crane operator. 164. No person under the age of eighteen years shall be allowed to operate a crane.

165. When a hoistway is not enclosed in walls, access to the hoistway by means of an adjacent stairway, platform or floor, which is not an authorized landing, shall be prevented by means of a partition to a height of at least six feet. <sup>Guarding hoistway.</sup>
166. Every entrance to a hoistway shall be provided with a substantial door or doors or gate or gates at least six feet in height. All folding gates over three feet wide shall have top and bottom centre braces. <sup>Folding gates.</sup>
167. All guide rails for cars and counterweights shall be of substantial construction, and shall be securely fastened to the sides of hoistway, and the bottom ends shall rest on a secure foundation, and be firmly fixed in that position. <sup>Guide rails.</sup>
168. On every elevator hereafter installed a clear space of not less than three feet shall be provided between the bottom of the hoistway and the lowest point of the car when the car is at its lowest landing, and between the top of the car and the sheave when the car is at its top landing, and also between the top of the counterweight and the sheave when the car is at its lowest landing. <sup>Clearance for car.</sup>
169. Every hoistway landing and place where machinery is erected shall be well lighted. <sup>Lighting.</sup>
170. Every elevator on which any person travels shall be provided with side casing, and shall have a door or doors extending at least first feet above the bottom of elevator, and the top shall be covered with suitable protective roofing. <sup>Protection on elevator.</sup>
171. Every elevator on which any person travels shall be provided with efficient safety catches capable of holding the elevator and twice the maximum load in any position in the hoistway. When the safety catches are operated through shafts, all the levers and safety catches shall be keyed to the shafts. <sup>Safety catches.</sup>
172. Every elevator shall be provided with automatic devices at the top and bottom of the travel of a car in the hoistway, so arranged that the car will be stopped before it has travelled two feet above the top landing, or two feet below the bottom landing, and all drum hoists shall, in addition, be fitted with automatic stop motions to prevent overwinding. <sup>Automatic safety devices.</sup>

Protecting counterweights.

173. All counterweights shall have their sections strongly bolted together, and shall be so situated that they cannot fall upon any part of the elevator or machinery, and shall be suspended in their guides in such a manner that they will run freely without danger of being detached. Where counterweights run in the same hoistway as the car they shall be protected with a substantial screen of iron or steel from top of guides to a point fifteen feet below.

*Blast Furnaces.*

Ventilation.

174. At all furnaces of the hand-filled type the room at the furnace top where workmen are engaged shall be adequately ventilated, and there shall be provided and maintained in good order a stairway equipped with hand-rail, from the top of the furnace to the ground level below, affording a safe means of exit in case of danger from any cause.

Protecting workmen.

175. Whenever it is necessary for a workman to go up on the bustle pipe for any purpose, he shall first notify the furnace keeper or some other responsible person, whose duty it shall be to remain on watch during the period the workman is engaged on the bustle pipe.

Protection from bustle pipes.

176. All bustle pipes shall be provided with safe working platforms, equipped with hand-rails, at least three feet six inches in height, and wherever practicable the platform shall not rest directly on the bustle pipe, but be supported on angle bars, so that the floor plate will not become sufficiently hot to cause burns to a workman falling on it. Access to the platform shall be by stairway provided with hand-rails.

Guarding workmen on top of furnace.

177. Whenever it becomes necessary for a workman to go on top of the furnace for oiling, cleaning or other duty, he shall notify the foreman or other responsible person, who shall see that not less than two men go on top for any purpose. It shall be the duty of one workman to act as watcher and to give the alarm to the stock house, cast house, or bell operator, and render every possible assistance in case of danger from gassing or other causes.

Life lines.

178. Life lines and belts, in good order, shall be provided and kept in some secure and readily accessible place for immediate use in case it becomes necessary to rescue a workmen from the top rigging, and also

- for use by any workman whose duties require him to work in an atmosphere which is liable to become gaseous.
179. Workmen employed at metallurgical works shall be supplied with suitable shields and appliances to protect them as far as possible from being burned with molten material. Shields for protection against burning.
180. A proper and adequate line of communication by telephone, gong or other mechanical means shall be maintained between the furnace top and all other dangerous places, and the cast house, skip operator's room, or other place where workmen are continuously on duty. Line of communication.
181. All stairways shall be inclined at an angle not greater than fifty degrees from the horizontal, and provided with landings or turn-outs, at intervals of twenty-five feet, so that it will not be possible for a workman to fall from the top to the foundation landing below. Stairways protected.
182. Every foreman shall personally supervise or appoint a competent assistant to supervise any work around the furnace involving unusual accident hazard, such as work in gas mains or cleaners, tearing out linings, work in the cast house, about the stoves when blowing in or blowing out, and any work about the bells or stock line. He shall also, when the furnace is known to be hanging and liable to slip, see that no workman is allowed on top for any purpose. Supervision of hazardous work.
183. Stock piles of ore, limestone, coke or other material shall be inspected daily by some authorized person whose duty it shall be to see that they are in a safe working condition. Inspection of stock piles.
184. Whenever ore becomes frozen in the hopper and workmen are required to bar the same into the furnace, a proper guard-rail shall be provided to prevent workmen slipping on to the bell, and all workmen so engaged shall be equipped with belt and life line. Protection around bell.
185. There shall be maintained at all blast furnaces in a readily accessible place breathing apparatus and portable resuscitating apparatus of approved type, with an adequate supply of oxygen and absorbent Rescue apparatus.

material. There shall always be on duty in each working shift a workman or workmen appointed by the superintendent and trained in the use of breathing and resuscitating apparatus.

RULES GOVERNING USE OF ELECTRICITY.

*Definitions.*

- "Electrical Supply Station." *Electrical Supply Station* means any building, room, or separate space within which is located electrical supply equipment and which is accessible, as a rule, only to properly qualified persons. This includes generating stations and substations, and generator, storage battery and transformer rooms.
- "Utilization Equipment." *Utilization Equipment* means equipment, devices, and connected wiring, which utilize electrical energy for mechanical, chemical, lighting, testing, or similar purposes and are not a part of supply equipment.
- "Voltage." *Voltage or Volts* means the highest effective voltage between the conductors of the circuit concerned, except that in grounded multiwire circuits, not exceeding 750 volts between outer conductors, it means the highest effective voltage between any wire of the circuit and the ground.
- In ungrounded, low-voltage circuits, voltage to ground means the voltage of the circuit.
- "Grounded." *Grounded* means connected to earth or to some extended conducting body which serves instead of earth. This ground connection may be at one or more points.
- "Cut-out." *Cut-out* means any device, such as a fuse or circuit-breaker, by which the electrical continuity of a conductor may be automatically broken by changes in current or voltage.
- "Switch." *Switch* means a device for opening or closing or changing the connections of a circuit manually. In these rules a switch is always to be understood as operated manually, unless otherwise stated.
- "Disconnecter." *Disconnecter* means a switch which is intended to open a circuit only after the load has been thrown off by some other means.



*Re-construction* means replacement of any portion of an existing installation by new equipment or construction, but does not include ordinary maintenance replacements. <sup>“Re-construction.”</sup>

*Wire Gauge*, Brown and Sharpe (B. & S.) is the standard. <sup>“Wire Gauge.”</sup>

*Switchboard* means a large single panel or assembly of panels on which are mounted switches, fuses, busses, and usually instruments, and accessible both in front and in rear. Circuits and machinery of relatively large capacity are controlled from such boards. <sup>“Switchboard.”</sup>

*Panelboard* means a single panel containing busses, fuses and switches to control lights, and devices of small individual as well as aggregate capacity, placed in or against a wall or partition and accessible only from the front. <sup>“Panelboard.”</sup>

#### *General Rules.*

186. Where electrical apparatus or machinery is used at any mine it shall be in charge of an authorized person, who shall be qualified by experience to handle such apparatus or machinery. Every person operating or having charge of electrical apparatus shall have been instructed in his duty and shall be competent for the work that he is set to do. Repairs, extensions and changes shall be made to existing electrical equipment and conductors only by authorized persons. <sup>Competent person in charge.</sup>
187. No person, other than the person authorized by the owner, manager, or superintendent, shall enter an electrical supply station or interfere with the workings of any machine, transformer, motor, or apparatus connected therewith, and when the authorized person is not present the door of such room shall be kept securely locked. <sup>Supply stations to be inaccessible to unauthorized persons.</sup>
188. All electrical equipment shall be of such construction and so installed and maintained as to reduce the life and fire hazard as far as practicable. <sup>General requirements.</sup>
189. Electrical equipment shall comply with these rules when placed in service, and shall thereafter be periodically inspected and, when necessary, cleaned. Defective equipment shall be put in good order or permanently disconnected. Defective wiring shall be repaired or removed. <sup>Inspection and repairs.</sup>

Exceptions.

190. Electrical utilization equipment as well as generating equipment, if enclosed in a separate room which is inaccessible to unauthorized persons, and when in service is under the control of a qualified electrical operator whose attention is not distracted by other processes, shall be considered as electrical supply station equipment, and such exceptions as are made to the general rules for supply stations shall apply to these installations.

Identifi-  
cation of  
equipment.

191. All electrical equipment shall be suitably identified where necessary for safety. The voltage and intended use shall be shown, where important.

*General Grounding Rules.*

Circuits to  
be grounded.

192. All circuits not over 150 volts shall be grounded if exposed to leakage from higher voltage circuits either through overhead construction or through transformers having primary voltage exceeding 750 volts. Three-wire single-phase circuits and three-wire direct-current circuits not exceeding 300 volts between outer conductor shall have the neutral grounded.

Equipment  
to be  
grounded.

193. Electrical equipment shall, when practicable, have the exposed non-current-carrying parts such as frames of motors, generators, switchboards, cases of transformers, oil switches and instruments and casings or wiring and conductors permanently grounded:

(a) For all equipment over 150 volts;

(b) For all equipment where metal parts are within reach of exposed grounded surfaces, such as metal frames of other machines, plumbing fixtures, conducting floors or walls (such as damp wood, concrete or rock underground). Grounded surfaces within 5 feet horizontally of the parts considered, or within 8 feet vertically of the floor shall be considered within reach.

Equipment  
and wire  
runways.

194. The point at which ground conductor is attached to the equipment or wire runways, shall, if practicable, be readily accessible.

Material  
and con-  
tinuity of  
ground  
conductor.

195. The ground conductor shall be of copper or other metal which will not corrode excessively under the existing conditions and, if practicable, shall be continuous. Ground connections from circuits shall

not be made to jointed piping within buildings, except that water or air piping beyond any points which is liable to disconnection may be used.

196. For grounding circuits the ground conductors must have a carrying capacity equal to that of the circuit and must never be less than No. 6 B. and S. Size of ground conductor.

197. For electrical equipment the current-carrying capacity of a ground conductor shall not be less than that provided by a copper wire of the size indicated in the following table. When there is no cut-out protecting the equipment, the size of the ground wire will be determined by the design and the operating conditions of the circuit.

Capacity of nearest automatic cut-out	Required size ground conductor B. & S. gauge.
0 to 200 amperes .....	6
201 to 500 amperes .....	4
Over 500 amperes .....	2

198. In portable cord to portable equipment protected by fuses not greater than 10 ampere capacity, No. 16 ground wire may be used.

199. Ground conductors shall have mechanical protection and insulating guards extending for a distance of not less than 8 feet above any ground, platform or floor. If attached to buildings ground conductors shall be supported on insulators and must be protected by porcelain bushings through floors, partitions or walls. Protecting ground wire.

200. Main water or air lines may be used for grounds, provided that connection is made at a point where the pipe is not liable to disconnection for alteration or repairs. Main water or air lines may be substantially bound together for this purpose, but shall, unless connected to a buried piping system of considerable extent, be connected to an artificial ground. Character of ground.

201. The ground connection to metallic piping systems shall be made by sweating a ground wire into a lug attached to a suitable clamp and firmly bolting the clamp to the pipe, after all rust and scale have been removed, or by any other equivalent method. Method of connection.

202. Artificial grounds shall be located, where practicable, below the permanent moisture level, or failing this at least six feet deep. Each ground shall present Artificial grounds.

not less than four square feet of surface to the exterior soil. Areas where ground water level is close to the surface shall be used where available.

Where separate ground conductors required.

203. Ground conductors shall be run separately to the ground (or to a sufficiently heavy grounding bus or system ground cable which is connected to ground at more than one place) from equipment and circuits of each of the following classes: (1) lightning arresters; (2) secondaries connected to low-voltage lighting or power circuits; (3) secondaries of current and potential transformers and cases of instruments on these secondaries; (4) equipment operating in excess of 750 volts; (5) frames of utilization equipment or wire runways other than covered by item (4).

Lightning arrester grounds.

204. Lightning arrester ground connections shall not be made to the same artificial ground (driven pipe or buried plate) as circuits or equipment, but shall be well spaced and, where practicable, at least twenty feet from other artificial grounds.

*Working Space About Electrical Equipment.*

Utilization equipment.

205. Suitable working space shall be provided and maintained about all electrical equipment. Where adjacent to exposed live parts such working spaces shall be so arranged that they will not be used as passageways. The working spaces shall, where practicable, have minimum horizontal dimensions, where adjacent to exposed live parts within 8 feet of the floor, as follows: (1) Parts above 150 volts to ground, if on one side, 2.5 feet; if on two sides, 4 feet; (2) parts below 150 volts to ground, if on one side, 1.5 feet; if on two sides, 2.5 feet.

Supply station equipment.

206. In supply station equipment the following clearances only need be maintained: (1) Parts from 300 up to 750 volts, if on one side, not less than 2.5 feet; if on two sides, not less than 3 feet; (2) parts above 750 volts, if on one side, not less than 3 feet; if on two sides, not less than 5 feet.

*Guarding or Isolating Live Parts.*

Guarding current-carrying parts.

207. In supply station equipment current-carrying parts shall be guarded unless they are maintained at the following distances above floors which may be occupied by persons:

Voltage of conductors.	Elevation in feet.
300 to 750 .....	7
750 to 2,500 .....	7.5
2,500 to 7,500 .....	8
7,500 to 30,000 .....	9
30,000 to 70,000 .....	10
70,000 to 100,000 .....	12

208. All exposed current-carrying parts of electrical equipment such as bus bars, conductors and terminals operating at over 150 volts and not isolated by elevation at least eight feet shall, where practicable, be provided with suitable permanent enclosures or other guards arranged so as to prevent persons or conducting objects from inadvertently coming (or being brought) in contact with the parts in question. Guarding current-carrying parts.

209. Where the current-carrying parts at over 150 volts or in supply stations at over 300 volts, to ground must necessarily be exposed (unguarded) within 8 feet, or in supply stations within the limits called for in rule 165, from the floor line all surrounding conducting floors shall be covered with suitable insulating platforms, mats or other insulating devices.

210. Where the current-carrying parts operate at over 7,500 volts, enclosing or barrier guards shall always be provided, even when insulating mats are also provided.

#### *Storage Batteries.*

211. Storage batteries in rooms used also for other purposes shall be adequately guarded or enclosed. Means shall be provided, if necessary, to prevent dangerous accumulation of inflammable gas. Batteries whose operating voltage exceeds 50 volts shall be installed in conformity with the general rules covering equipment. Protection of storage batteries.

#### *Transformer Rules.*

212. Secondary circuits of current transformers shall be provided with means for short-circuiting them which can be readily connected while the primary is energized, and which are so arranged as to permit the removal of any instrument or other device from such circuits without opening the circuits. Protecting instrument transformers.

213. When primaries are above 7,500 volts secondary circuits of current and potential transformers, unless otherwise adequately protected from injury or contact of persons, shall be in permanently grounded conduit.

214. The low-voltage circuit of all instrument transformers shall be permanently grounded unless the circuits are installed and guarded as required for the high-voltage circuits of the transformers.

Construction of transformers.

215. Oil immersed transformers must not be attached to any building other than a transformer house not of fire-proof construction or mounted on or above combustible roofs, and if within a building other than a transformer house must be in a fireproof compartment suitably drained and ventilated to outdoors, the door openings to be provided with not less than six-inch non-combustible sills.

Location of transformer stations.

216. Transformer stations must be at least fifty feet distant from other buildings if not entirely of fire-proof construction, or if containing over fifty imperial gallons of oil.

*Lightning Arrester Rules.*

Inaccessible to unauthorized persons.

217. If the operating voltage of the circuit exceeds 750, the lightning arresters shall be made inaccessible to unauthorized persons.

Location.

218. Lightning arresters, when installed inside of buildings, shall be located, as far as practicable from all other equipment and from combustible parts of the building.

Provisions for disconnecting.

219. Lightning arresters on circuits over 7,500 volts and all lightning arresters which may require work to be done upon them from time to time, shall be so arranged, isolated, and equipped that they may be readily disconnected from conductors to which they are connected by air-brake manual disconnectors.

Ground wires.

220. Ground wires shall be run as directly as possible and be of low resistance and ample capacity. In no case shall ground wires be less than No. 6 copper wire. Ground conductors for lightning arresters shall not pass through iron or steel conduits unless electrically connected to both ends of such conduits.

Grounding non-current carrying parts.

221. All non-current carrying parts of the arresters shall be grounded, unless effectively isolated by elevation, or guarded as required for live parts of the voltage of the circuit to which the arrester is connected, and suitably identified as to that voltage.

222. All current-carrying parts of arresters on circuits above 750 volts, unless effectively isolated by elevation, shall be adequately guarded to protect persons from inadvertent contact with them, or from injury by arcing. Guarding shall comply with Rules 208 and 225. <sup>Guarding live parts.</sup>

*Conductors.*

223. Conductors shall be suitable for the location, use and voltage and each conductor (except neutral conductors, ground wires, and conductors of circuits, the opening of which may cause special hazard by interruption of service or removal of protection), shall be protected against excessive current by suitable automatic cut-out or by the design of the system. <sup>Electrical protection of conductors.</sup>
224. All conductors normally grounded for the protection of persons shall be arranged without automatic cut-outs interrupting their continuity between the sources of electrical supply and the point at which the ground wire is attached, unless the cut-out opens all the conductors of the system with one operation. <sup>Cut-outs omitted.</sup>
225. All conductors where not protected by conduit or armoring must have approved insulation and must be mounted on cleats, porcelain knobs or insulators and must be separated from contact with floors, walls or partitions by tubes of incombustible insulating material. <sup>Insulating conductors.</sup>
226. All fixed conductors operating at over 150 volts or in supply stations at over 750 volts unless isolated by an elevation of at least eight feet shall be enclosed in grounded metal conduit, grounded metal sheathing or shall be guarded by permanent screens or enclosures. <sup>Isolating conductors.</sup>
227. Bare conductors shall be used only for switchboard, panelboard, storage-battery connections or for open wiring at voltages exceeding 2,400 volts in supply stations or for electrolytic low-voltage furnaces and similar connections, or for trolley wires and other contact conductors. Except at points where permanent ground connections are made such conductors within buildings shall be kept insulated from the ground. <sup>Use of bare conductors.</sup>

Temporary wiring.

228. Temporary wiring and equipment, which is not in compliance with these rules, may be used, but only when under competent supervision, or protected by suitable barriers or warning signs while it or neighbouring wiring is alive and accessible to unauthorized persons.

*Fuses, Cut-outs, Switches and Controllers.*

General requirement of switches.

229. All switches, automatic cut-outs, controllers, starting rheostats, auto starters and other control devices shall be readily and safely accessible to authorized persons; they shall be so located, labelled or marked as to afford means of identifying circuits or equipment supplied through them, or whether they are open or closed. They shall be so installed where practicable, that they cannot be closed by gravity and such switches as close by gravity shall be provided with a proper stop block or latch to prevent accidental closing.

Switches required for equipment.

230. Suitable switches shall be inserted in all circuit leads to generators, motors, transformers, storage batteries, electric furnaces and similar equipment except between parts or pieces of apparatus intended to operate as a unit.

Switches required in feeders.

231. Suitable switches shall be inserted in all feeder conductors connecting utilization installations to service connections from either overhead or underground lines. These switches shall be readily accessible, and as close as practicable to the point of connection with the overhead or underground lines.

Switches for temporary wiring.

232. Switches or plug connectors shall be placed in all circuit leads at the point where temporary wiring or portable conductors are connected to the permanent wiring.

Capacity of switches.

233. Switches used otherwise than as disconnectors shall have a rated capacity such as to insure safe interruption, at the working voltage, of the greatest current which they will be required to carry continuously, and shall be marked with the current they can safely interrupt.

Switches have sufficient rupturing capacity.

234. All cut-outs, switches, circuit breakers and other apparatus used for opening or closing an electric circuit shall be of such design as to operate safely on the system from which the circuit is energized.



235. Disconnectors shall be of suitable voltage and ampere rating for the circuit in which they are installed and shall be accessible only to qualified persons. They shall also be protected by signs warning against opening the switch while carrying current in excess of the safe opening limit. Disconnectors.
236. Means shall be provided so that switches controlling apparatus can be locked or blocked in the open position or plainly tagged to prevent careless closing while work is being done on the equipment unless all live and moving parts of the equipment are in plain sight of the switch. Locking or blocking switches.
237. Switches, controllers and rheostats shall be so constructed as to make and maintain good contact. Knife switches shall maintain such alignment under service conditions that they may be closed with a single unhesitating motion. Good contact required on switches.
238. Unless a switch, operating on a circuit above 300 volts, makes an air break there shall, if equipment controlled by such switch requires adjustment or repairs while the conductors leading to such switch are still alive, be installed between it and the source of energy supply a suitable air-break disconnecter. When air-break switches needed.
239. All manual switches over 150 volts to ground or in supply stations over 300 volts to ground shall have suitable casings or guards protecting the operator from danger of contact with current-carrying parts or being burned by arcing at the switch. Enclosing live parts of switches.
240. All switches interrupting circuits over 300 volts shall be operated by means of remote control mechanism or be provided with suitable casings protecting the operator from danger of contact with current-carrying parts, except as provided in Rule 242. The control device for switches shall indicate whether the switches are open or closed. Guarding switches above 750 volts.
241. Switches shall, if practicable, be so connected that switch blades will not be alive when in the open position. Connections to switches.
242. Where switches, disconnectors, and fuses above 750 volts are ordinarily guarded by covers or enclosed in separate rooms, but must occasionally be operated without such protection, either by removal of the covers or by entrance into the rooms, adequate Working spaces about ordinarily guarded switches above 750 volts.

working space shall be provided about the live parts, so that the operator will not be required to bring any part of his body within the following horizontal distances:

Voltage of parts.	Distance in feet.
750 to 7,500 .....	1
7,500 to 30,000 .....	2
30,000 to 50,000 .....	3
50,000 to 70,000 .....	4
70,000 to 100,000 .....	5

Switches to be placed before fusible cut-outs.

243. On circuits up to 300 volts to ground, where fusible cut-outs are not so arranged that they are necessarily disconnected from all sources of electrical energy before the ungrounded current-carrying parts can be touched, switches shall always be so placed or arranged that opening them will disconnect the fuses from all sources of electrical energy.

Protecting fusible cut-outs above 300 volts.

244. Fusible cut-outs above 300 volts to ground shall be in a cabinet or otherwise made inaccessible to all but authorized persons, and switches shall be so placed and arranged that opening them will disconnect the fuses from all sources of electrical energy.

Fuses in fireproof cabinets.

245. All fusible cut-outs shall be installed in approved fireproof cabinets.

Capacity of fuses.

246. The rated capacity of the fuses shall not exceed the allowable carrying capacity of the conductor.

*Switchboards.*

Switchboards to be readily accessible.

247. Switchboards and panelboards shall have all switches arranged so that the means of control are readily accessible to the operator.

Switchboards to be convenient for operation.

248. Instruments, relays, or other devices requiring reading or adjustment shall be so placed that the work can be readily performed from the working space provided.

Location and lighting of switchboards.

249. Switchboards shall, where practicable, be so placed that the person operating them will not be endangered by machinery or equipment located near the board. Means for adequate illumination shall be provided.

Protecting against short circuiting on switchboards.

250. Exposed bare parts of different potentials on any switchboard or panelboard shall be as few as practicable and these shall be effectively separated.

251. All switchboards and panelboards having exposed current-carrying parts operating at over 150 volts to ground shall, when practicable, be suitably encased in locked cabinets, screens, or rooms, or other enclosures to make them inaccessible to other than authorized operators. Conducting floors about such boards, and in supply stations about boards having equipment operating at over 300 volts to ground, shall be provided with suitable insulating platforms or mats so placed that no person can inadvertently touch live parts unless standing on the insulating platform or mats. Guarding current-carrying parts of switchboards.
252. Where switchboards or panelboards at voltages below 150 to ground are accessible to other than authorized operators, they shall, where practicable, be enclosed in cabinets or screens as an effective precaution against accidental short circuit at times when no operation of the board necessitates the opening of the cabinet or screen. Switchboards below 150 volts accessible to unauthorized persons.

*Motor Control Devices.*

253. Manually controlled starters for all D.C. motors and for all A.C. motors over 5 h.p. shall be so designed and the circuits so arranged that they return automatically to the "off" position upon the failure of the energy supply, except where the motors and their starting devices are, during operation, under the supervision of qualified persons and equivalent protection is otherwise provided. Motor control devices.
254. Each motor must be protected against excessive overload current by cut-out or automatic circuit breaker, and overload device should interrupt the circuit at 50 per cent. over normal motor-current rating. An auto starter which disconnects all wires of the circuit automatically under overload when in the running position may be used as circuit breaker. Protecting motors against overload.

*Illuminating Supply Stations.*

255. Rooms and spaces shall have good artificial illumination. Arrangement of permanent fixtures and plug receptacles shall be such that the portable cords need not be brought into dangerous proximity of live electrical apparatus. All lamps shall be arranged to be controlled, replaced, or trimmed from readily accessible places. Lighting for supply stations.

Emergency lighting for supply stations.

256. A separate emergency source of illumination, from an independent generator, storage battery, lanterns or other suitable source, shall be provided in every station where an attendant is located.

*Fire Fighting Appliances.*

Fire fighting appliances.

257. Each room or space where an operator is in attendance shall be provided with an adequate approved fire extinguishing appliance, conveniently located and conspicuously marked. Any such appliance which has not been approved for use on live parts shall be plainly and conspicuously marked with a warning to that effect whenever placed in rooms containing exposed live parts over 150 volts to ground.

*Lighting Fixtures.*

Guarding current-carrying parts of lighting fixtures.

258. Electric fixtures, such as lamp sockets and lamp bases, plugs, receptacles, etc., shall be so installed that no current-carrying parts will normally be exposed externally when these parts are within reach of grounded surfaces (see rules 208, 209 and 210). The high-temperature current-carrying parts of radiant heaters are exempted.

259. Portable lamps shall not be connected to circuits operating at over 300 volts to ground.

Portable conductors exposed to injury.

260. In locations where exposed to dampness or mechanical injury, portable conductors shall be of reinforced weatherproof cord, and, when necessary, armoured.

Style of portable lamps permitted.

261. In locations where exposed to dampness or mechanical injury, portable lamps shall have their sockets enclosed in wood or composition handles, through which the conductor shall be carried, and shall have a substantial wire cage which encloses the lamp. A hook for hanging lamp shall be attached either to the cage or to the handle.

*Trolleys and Portable Apparatus.*

Guarding trolley or crane collector wires.

262. Trolley or crane collector wires, whether indoors or out, shall, where practicable, be elevated at least 8 feet above the rail level and be provided with suitable guards so arranged that persons cannot inadvertently touch the current-carrying parts while in contact with the ground or with conducting material connected to the ground.

263. In tunnels or under bins or in similar locations where trolley wires are necessarily less than 8 feet above the rail level, the operating voltage shall not exceed 300 and the wires shall be efficiently guarded to prevent accidental contact of person.
264. Portable and pendant conductors shall not be installed or used on circuits operating at over 150 volts to ground, unless they are accessible only to persons authorized to approach them. In such cases they shall be of a type suitable to the voltage and conditions.

*Cranes and Elevators.*

265. Readily accessible means shall be provided whereby all conductors and equipment located in or on cars or cranes can be disconnected entirely from the source of energy at a point as near as possible to the trolley or other current collector.
266. A circuit breaker or switch, capable of interrupting the circuit under heavy loads, shall be used unless the current collector can be safely removed, under heavy loads, from the trolley wire.

*Telephone Exposed by Supply Lines.*

267. Telephone or other signal apparatus which must be handled by persons and which is connected to overhead signal circuits exposed by supply lines over 400 volts to ground must be protected as follows:
- (a) By fuses and arresters;
  - (b) All exposed non-current-carrying metal parts must be permanently grounded;
  - (c) The apparatus shall be installed in such a way that a person using it will be obliged to stand on a suitably insulated platform, in a suitably insulated booth or on other insulating surfaces.
268. Telephone or signal apparatus which is connected to a line which parallels a supply circuit of high voltage in such a manner as to be exposed to induced voltage shall be protected by transformers and shall comply with the requirements of Rule 267.

*Transmission Lines.*

Design and construction of supply lines.

269. All electrical supply lines and equipment shall be of suitable design and construction for the service and the conditions under which they are to be operated, and all lines shall be so installed and maintained as to reduce the life hazard as far as practicable.

Guarding supply lines.

270. Conductors and other current-carrying parts of supply lines shall be so arranged as to provide adequate clearance from the ground or other space generally accessible, or shall be provided with guards so as to effectively isolate them from accidental contact by such persons.

Entrance to buildings.

271. Where supply lines over 300 volts to ground are attached to any buildings for entrance they must be permanently guarded if accessible.

Clearance required by supply lines over railways.

272. Supply lines carried over railways operated by steam, electric or other motive power and on which standard equipment, such as freight cars, is used shall have the style of construction and clearances overhead as called for in the rules of the Board of Railway Commissioners of the Dominion of Canada. Supply lines crossing over railways on which standard equipment is not used and lines crossing over roadway shall have ample clearance for the operating conditions and shall be substantially supported.

*Underground.*

Restrictions on use of motors underground.

273. Except with the written permission of the Chief Inspector, who shall prescribe such conditions as he may deem fit:—

(a) No motor over 750 volts to ground shall be used underground;

(b) The voltage supply for electrical traction underground shall not exceed 300;

(c) No electrical energy higher than 750 volts to ground shall be transmitted underground.

In underground installations switch to be placed at surface.

274. Where electrical energy is taken underground provision shall be made that the current can be cut off, on the surface, close to the point where it is led underground. The cut-off switch or switches shall be

situated in a separate locked building or compartment, and same shall be accessible only to an authorized person or persons.

275. Electric motors, transformers, starting equipment and other electric apparatus shall be installed on non-combustible bases in a fireproof compartment, and no inflammable material shall be stored or kept in the same compartment. Storage of electric motors, transformers, etc.
276. All cables over 150 volts transmitting power under ground shall be armoured or enclosed in standard conduit and substantially supported. Conduits required.
277. Wires carrying not over 300 volts to ground or lighting and signal circuits shall either be in standard conduits or casings, or suspended from and securely tied to porcelain or glass insulators, so that they do not touch any timbering or metal. On no account shall staples be used. Conduits or insulators for lighting circuits.
278. The armouring or casing of cables, mentioned in the two next preceding rules, shall be bonded together so as to be electrically continuous, and shall be connected at some point or points to a satisfactory ground. Grounding of casings.
279. All rules governing grounding of electrical apparatus in general work shall apply equally to underground work. Method of grounding.
280. All proper precautions shall be taken to prevent electric signal or telephone wires, whether insulated or not, coming into contact with other electrical conductors. Precautions to protect signal and telephone wires.

*Rules Governing Electric Hoists.*

281. All electric hoists fitted with mechanically operated brakes shall be so installed that:—
- (a) The mechanically operated brakes will be applied automatically the moment the power supply fails; Automatic brakes.
- (b) In case of a heavy overload, such as would be caused by the shaft conveyance leaving the rails or becoming jammed in the shaft, a circuit breaker will cut off the power and thus allow the mechanically operated brakes to come into play; Circuit breaker.

Overwind device.

(c) A suitable overwind device, which can be set to engage shaft conveyance at any point in the head-frame, will cut off the current, in case of an overwind past this point, and thus allow the mechanically operated brakes to come into play. In default of a device of this nature the hoist shall be equipped with some other form of satisfactory and dependable overwind device. Such devices shall be tested out by the hoist man at least once a shift;

Brakes operated by mechanical means.

(d) The brakes shall, on failure of the power supply, be put into play by mechanical means, preferably gravity, and shall in no case be operated by an auxiliary electric current.

Testing for overloading.

282. When the inspector has cause to believe that the shaft conveyance operated by any electric hoist is being overloaded he shall have the power to order a test to be made.

*Damage to Property.*

Wilful damage.

283. No person shall wilfully damage, or without proper authority remove or render useless, any fencing, casing, lining, guide, means of signalling, signal, cover, chain, flange, horn, brake, indicator, ladder, platform, steam-gauge, water-gauge, safety-valve, electrical equipment or other appliance or thing provided in any mine in compliance with this Act.

*General.*

Persons under the influence of or carrying liquor.

284. No person under the influence of or carrying intoxicating liquor shall enter any mine or be in the proximity of any working place on the surface or near any machinery in motion.

Abstract of rules to be posted.

285. An abstract of the rules and regulations contained in this Act, authorized by the Chief Inspector, shall be posted up in suitable places at the mine or works where the same can be conveniently read and the owner or agent of the mine shall maintain such abstract, duly posted, and the removal or destruction of the same shall be an offence against this Act. R.S.O. 1927, c. 45, s. 161. *Amended.*



*Payment of Wages.*

- 164.—(1) No more wages shall be paid to any person employed in or about any mine to which this Part applies at or within any tavern, shop or place where spirits, wine, beer or other spirituous or fermented liquors are sold or kept for sale, or within any office, garden, or place belonging or contiguous thereto or occupied therewith. Prohibition of payment of wages at public houses.
- (2) Every person who contravenes or permits any person to contravene this section shall be guilty of an offence against this Act, and in the event of any such contravention by any person whomsoever the owner and agent of the mine in respect of which the wages were paid shall also each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means to prevent such contravention by publishing and to the best of his power enforcing the provisions of this section. R.S.O. 1927, c. 45, s. 162. Penalty.
- (3) Notwithstanding any agreement to the contrary, every person who performs labour for wages in connection with any mine, mining claim, mining lands, or works connected therewith, shall be paid such wages not less frequently than twice a month. R.S.O. 1927, c. 45, s. 163. Payment of wages at least fortnightly.

*Sale of Liquor Prohibited.*

165. Except in a city, town or village no shop or store for the sale of intoxicating liquor, as defined by any Act for the prohibition or control of the sale or consumption of intoxicating liquor, shall be opened or maintained within six miles of any mine or mining camp where six or more workmen are employed. R.S.O. 1927, c. 45, s. 164. Sale of intoxicating liquor prohibited within six miles of certain mines.

*Damaging Other Claims.*

166. In mining operations no person or company shall, without right or authority, cause damage or injury to the holder of any other mining property by throwing earth, clay, stones, or mining material thereon, or by causing or allowing water which may be pumped or bailed or which may flow from a mining claim or other mining property of such person, to flow into or upon such other mining property, and the offender in addition to any civil liability shall incur a penalty of not more than \$10 Licenseses not to damage other claims.

for every day such damage or injury continues, and in default of payment of the penalty and costs, may be imprisoned for any period not exceeding one month. R.S.O. 1927, c. 45, s. 165.

*Party Wall.*

Party walls,  
thickness of.

167.—(1) Unless the owners agree to dispense therewith, in all mining operations there shall be left between all adjoining properties a party wall at least fifteen feet thick (between seven and one-half feet on each property), to the use of which the adjoining owners shall be entitled in common.

Use in  
common.

(2) The owners shall be entitled to use such party wall in common as roadway for all purposes, and such roadway shall not be obstructed by the throwing of soil, rock or other material thereon, or in any other way, and any person obstructing the same in addition to any civil liability shall incur a penalty of not more than \$10 for every day such obstruction continues.

Dispensing  
with.

(3) Any such adjoining owners may, in any case, apply to the judge, who may make an order dispensing with such party wall or roadway, or providing for the working of any material therein, or otherwise as he may deem just. R.S.O. 1927, c. 45, s. 166.

*Notice of Accidents.*

Accidents,  
causing  
death,—  
notice of.

168.—(1) Where, in or about any mine, whether above or below ground, any accident occurs which causes loss of life to any person employed in or about the mine, the owner, agent, manager or superintendent of the mine shall immediately notify, by telephone or telegraph, the Deputy Minister.

Notice of  
serious  
injury.

(2) Where, in or about any mine, whether above or below ground, any accident occurs which causes fracture or dislocation of any of the bones of the body, or any other serious personal injury, to any person employed in or about the mine, the owner, agent, manager or superintendent of the mine shall within three days next after the accident send notice in writing to the inspector resident in that district on the form prescribed for such purpose.

“Serious  
personal  
injury,”  
meaning of.

(3) “Serious personal injury” shall mean such an injury as in the opinion of the attending physician may

result in the injured person being incapacitated for work for at least seven days.

- (4) Where in or about any mine; Accidents.
- (a) any case of overwinding a skip or cage; Over-winding.
- (b) any breakage of a rope or cable used for hoisting; Breakage in cables.
- (c) any inrush of water from old workings or otherwise; Inrush of water.
- (d) any outbreak of fire below ground; or Fire below ground.
- (e) any premature or unexpected explosion; Explosions.

occurs, whether or not loss of life or personal injury is caused thereby, the owner, agent, manager, or superintendent shall, within twenty-four hours next after the occurrence, send notice in writing to the inspector resident in the district, and shall furnish such particulars in respect thereof as may assist the inspector in making inquiry into the circumstances. R.S.O. 1927, c. 45, s. 167. Notice to inspector.

- 169.—(1) The owner of a mine or works subject to the provisions of this Part shall without delay furnish to the Chief Inspector, in writing:— Particulars to be furnished by owner of mine.

- (a) The name and situation of the mine or works;
- (b) The name of the company or syndicate controlling the same;
- (c) The name and address of the manager;
- (d) Notice of any change of manager, or of the name of the mine or works, company or syndicate within three days of such change.
- (2) When any working is commenced for the purpose of opening a mine or works under this Act or where work has been temporarily or permanently discontinued or abandoned, or where the working of a mine or works or hoisting in a shaft is recommenced after any such abandonment or discontinuance, the manager, or if there be no manager, the owner shall within fourteen days give written notice thereof to the inspector. Commencement of work,—notice of

Summary of  
year's  
operation.

- (3) The owner of a mine or works under this Act shall forward or cause to be forwarded to the Chief Inspector before January 31st of each year a complete summary of the preceeding year's operations setting forth:—
- (a) The name of the company or syndicate;
  - (b) A list of the officers and directors of the company or syndicate;
  - (c) The name of the mine or works;
  - (d) The name of the manager or superintendent of the mine or works;
  - (e) A monthly average of the number of men employed, subdivided to show staff, underground force, surface and shops force and ore treatment or mill force. *New.*

*Statistical Returns.*

Statistical  
returns by  
owners and  
agents of  
mines.

170.—(1) For the purpose of their tabulation under the instructions of the Minister the owner or agent of every mine, quarry or other works to which this Act applies shall, on or before the 15th day of January in every year, send to the Department a correct return for the year which ended on the 31st day of December next preceding, showing the number of persons ordinarily employed below and above ground respectively, and distinguishing the different classes and ages of the persons so employed whose hours of labour are regulated by this Act, the average rate of wages of each class and the total amount of wages paid during the year, the quantity in standard weight of the mineral dressed, and of the undressed mineral which has been sold, treated or used during such year, and the value or estimated value thereof, and such other particulars as the Minister may by regulation prescribe.

Monthly or  
quarterly  
returns.

(2) The owner or agent of every metalliferous mine shall, if required, make a similar return for the month or quarter at the end of each month or quarter of the calendar year.

Penalty.

(3) Every owner or agent of a mine, quarry or other works who fails to comply with this section, or

makes any return which is to his knowledge false in any particular, shall be guilty of an offence against this Act. R.S.O. 1927, c. 45, s. 169.

*Plans of Workings.*

- 171.—(1) On any examination or inspection of a mine the owner shall, if required, produce to the inspector, or to any other person authorized by the Minister or Deputy Minister, an accurate plan and sections of the workings of the same. Plans to be produced on inspection of mine.
- (2) The plan and sections shall show the workings of the mine up to within six months of the time of the examination or inspection, and the owner shall, if required by the inspector or other authorized person, cause to be marked on the plan the progress of the workings of the mine up to the time of the examination or inspection, and shall also permit him to take a copy or tracing thereof. Marking subsequent progress on plan.
- (3) An accurate plan on a scale of not more than fifty feet to the inch of every working mine in which levels, crosscuts or other openings have been driven from any shaft, adit or tunnel, and of every mine consisting of a tunnel or shaft fifty feet or more in length shall be made and a certified copy filed in the Department on or before the 31st day of January in each year, showing the workings of the mine up to and including the 31st day of December next preceding. Plan of working mines be filed.
- (4) Before a mine or any part of a mine is abandoned, closed down or otherwise rendered inaccessible, all underground plans and sections shall be brought up to date and a certified copy filed in the Department. Plans to be filed before abandonment.
- (5) Failure on the part of the owner or agent of the mine to comply with any provision of this section shall be an offence against this Act. Failure to furnish plans.
- (6) Every such plan shall be treated as confidential information for the use of the officers of the Department and shall not be exhibited nor shall any information contained therein be imparted to any person except with the written permission of the owner or agent of the mine. Plans to be treated as confidential.

Penalty.

- (7) Every owner or agent of a mine, quarry or other works who fails to comply with this section, or makes any return which is to his knowledge false in any particular, shall be guilty of an offence against this Act. R.S.O. 1927, c. 45, s. 170.

*Powers and Duties of Inspector.*

Powers of inspector.

- 172.—(1) It shall be the duty of every inspector, and he shall have power,—

Inquiries as to compliance with Act.

- (a) to make such examination and inquiry as he may deem necessary to ascertain whether the provisions of this Act are complied with; and to give notice to the owner or agent in writing of any particulars in which he considers such mine or any portion thereof, or any matter, thing or practice to be dangerous or defective or contrary to the provisions of this Act, and to require the same to be remedied within the time named in such notice;

Inspection.

- (b) To enter, inspect and examine any mine and every portion thereof at all reasonable times by day or night, but so as not to unnecessarily impede or obstruct the working of the mine;

Stopping work when mine unsafe.

- (c) to order the immediate cessation of work in and the departure of all persons from any mine or portion thereof which he considers unsafe, or to allow persons to continue to work therein on such precautions being taken as he deems necessary;

General powers for protection of miners.

- (d) to exercise such other powers as may be necessary for ensuring the health and safety of miners and all other persons employed in or about mines, smelters, metallurgical and mining works.

Annual report.

- (2) It shall be the duty of every inspector to make an annual report of his proceedings during the preceding year to the Deputy Minister.

Report to be laid before Assembly.

- (3) The annual report shall be laid before the Assembly. R.S.O. 1927, c. 45, s. 171.

Special report.

- 173.—(1) The Minister may direct an inspector to make a special report with respect to any accident in or about any mine which has caused loss of life or personal injury to any person.

- (2) In conducting the inquiry the inspector shall have <sup>Inspectors may take evidence.</sup> power to compel the attendance of witnesses and the production of books, documents and things, and to take evidence upon oath. R.S.O. 1927, c. 45, s. 172.
174. Noncompliance with any rule contained in section 163 or with any other provision of this Part shall be <sup>Offences against Part VIII.</sup> an offence against this Part, of which the owner and the agent of the mine and every manager, superintendent, captain, foreman, workman and other person engaged in or about the mine shall each be guilty. R.S.O. 1927, c. 45, s. 173.
- 174a. Where work in or about a mine is let to a contractor or sub-contractor, he shall comply and enforce compliance with all the rules and provisions of this Part, and shall in any case of noncompliance therewith be guilty of an offence and punishable in like manner as if he were owner or agent. <sup>Liability of contractors and sub-contractors.</sup> R.S.O. 1927, c. 45, s. 174.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Mining Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MCCREA.

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TORONTO:

Printed by



# BILL

## An Act to amend The Mining Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Mining Act, 1929*. Short title.

2.—(1) Clause *e* of section 81 of *The Mining Act* is repealed and the following substituted therefor,— Rev. Stat.  
c. 45, s. 81,  
cl. (e),  
repealed.

(e) For the first instalment of work, except where the Minister of Lands and Forests has restricted the time for performing the same to a stated period, between the 16th day of November and the 15th day of April, both days inclusive, but this shall not have the effect of extending the time for the performance of any subsequent instalment of work.

(2) The said section 81 is further amended by adding at the end the words—“but notwithstanding anything contained in this Act where the Minister of Lands and Forests has restricted the work to a stated period the work shall be performed within such period.” Rev. Stat.  
c. 45, s. 81,  
amended.

3. Subsection 1 of section 88 of *The Mining Act* is amended by inserting after the word “default” in the second line, the words “or the Minister at any time, after such three months on report of the judge.” Rev. Stat.  
c. 45, s. 88,  
subs. 1,  
amended.

4. *The Mining Act* is amended by adding thereto the following sections: Rev. Stat.  
c. 45,  
amended.

156a. Every man employed as an underground foreman (meaning thereby one who is exclusively engaged in supervising the work of other men) shall be able to give and receive orders in the English language. English  
language  
to be used.

156b. The Inspector of Mines shall have the right to suspend any foreman or mine captain who is not familiar with, or does not understand, the require- Suspension  
of  
foreman.

ments of the regulations governing the operation of mines as contained in *The Mining Act*.

Rev. Stat. c. 45, s. 161, rule 11, amended. **5.** Rule 11 in section 161 of *The Mining Act* is amended by striking out the words "above ground" in the first line, so that the rule will now read as follows:

Thawing houses.

- (11) No building for thawing explosives shall be maintained in connection with any mine except with the written permission of the Inspector of Mines. The site of this building and the style of structure and equipment shall be subject to the approval of the Inspector. The building shall be under the direction of the manager or some person authorized by him. The quantity of explosives brought into any thawing house at any one time shall not exceed the requirements of the mine for a period of 24 hours, plus the amount that it may be necessary to have thawing to maintain that supply.

Rev. Stat. c. 45, s. 161, amended.

**6.** Section 161 of *The Mining Act* is amended by adding thereto the following rules:

Underground buildings to be fireproof.

- (38a) All underground buildings or enclosures necessary for the housing and maintenance of machinery or equipment shall be constructed as far as practicable of fire-proof material.

Fans.

- (38b) All fans except "Booster" fans shall be above ground and shall be reversible, and all fans and structures containing the same shall be fireproof.

Oil and grease.

- (38c) Oil and grease kept underground shall be contained in suitable metal receptacles and the amount so kept shall not exceed the requirements for seven days.

Fire doors.

- (38d) There shall be a sufficient number of fire doors at every underground station where practicable so that the shaft can be completely cut off from the rest of the mine.

Removal of refuse.

- (38e) All inflammable refuse underground shall be removed at least once in every 24 hours, and shall be brought to the surface and there disposed of in a suitable manner.

Inflammable refuse.

- (38f) Every shift boss and mine captain shall certify in writing to the mine manager at least once in every week, that there is no accumulation of inflammable refuse underground in the area under his supervision except as reported by him.

(38g) Suitable fire protection systems shall be installed at <sup>Fire protection at</sup> all underground crushers, tipples, and in dry shafts. <sub>crushers, etc.</sub>

(38h) Every mine which has a maximum production of <sup>Warning</sup> 100 tons of ore per day, shall be equipped with the <sub>signal.</sub> necessary mechanical apparatus so that the stench ethyl mercaptan may be introduced into the air line as a warning signal to underground workmen.

(38i) Legible signs showing the way to emergency exits <sup>Signs showing</sup> shall be posted in prominent places underground and <sub>emergency exits.</sub> all workmen shall be instructed as to location of auxiliary exits.

7. This Act shall come into force on the day upon which it <sup>Commence-</sup> receives the Royal Assent. <sub>ment of Act.</sub>

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Mining Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 25th, 1929.

*3rd Reading*

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MR. MCCREA.

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*(Reprinted as amended in Committee of the  
Whole House.)*

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TORONTO:

Printed by  
The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Mining Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Mining Act, 1929*. Short title.
- 2.—(1) The clause lettered *e* in section 81 of *The Mining Act* is repealed and the following substituted therefor: Rev. Stat.  
c. 45, s. 81,  
cl. (e),  
repealed.
  - (e) For the first instalment of work, except where the Minister of Lands and Forests has restricted the time for performing the same to a stated period, between the 16th day of November and the 15th day of April, both days inclusive, but this shall not have the effect of extending the time for the performance of any subsequent instalment of work. Working  
conditions.—  
time for  
performance.
- (2) The said section 81 is further amended by adding at the end the words—“but notwithstanding anything contained in this Act where the Minister of Lands and Forests has restricted the work to a stated period the work shall be performed within such period.” Rev. Stat.  
c. 45, s. 81,  
amended.
3. Subsection 1 of section 88 of *The Mining Act* is amended by inserting after the word “default” in the second line, the words “or the Minister at any time, after such three months on report of the judge.” Rev. Stat.  
c. 45, s. 88,  
subs. 1,  
amended.
4. *The Mining Act* is amended by adding thereto the following sections: Rev. Stat.  
c. 45,  
amended.
  - 156a. Every man employed as an underground foreman (meaning thereby one who is exclusively engaged in supervising the work of other men) shall be able to give and receive orders in the English language. English  
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to be used.
  - 156b. The Inspector of Mines shall have the right to suspend any foreman or mine captain who is not familiar with, or does not understand, the require- Suspension  
of  
foreman.

ments of the regulations governing the operation of mines as contained in *The Mining Act*.

Rev. Stat.  
c. 45, s. 161,  
rule 11,  
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5. Rule 11 in section 161 of *The Mining Act* is amended by striking out the words "above ground" in the first line, so that the rule will now read as follows:

Thawing  
houses.

(11) No building for thawing explosives shall be maintained in connection with any mine except with the written permission of the Inspector of Mines. The site of this building and the style of structure and equipment shall be subject to the approval of the Inspector. The building shall be under the direction of the manager or some person authorized by him. The quantity of explosives brought into any thawing house at any one time shall not exceed the requirements of the mine for a period of 24 hours, plus the amount that it may be necessary to have thawing to maintain that supply.

Rev. Stat.  
c. 45, s. 161  
amended.

6. Section 161 of *The Mining Act* is amended by adding thereto the following rules:

Under-  
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buildings to  
be fireproof.

(38a) All underground buildings or enclosures necessary for the housing and maintenance of machinery or equipment shall be constructed as far as practicable of fire-proof material.

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(38b) All fans except "Booster" fans shall be above ground and shall be reversible, and all fans and structures containing the same shall be fireproof.

Oil and  
grease.

(38c) Oil and grease kept underground shall be contained in suitable metal receptacles and the amount so kept shall not exceed the requirements for seven days.

Fire doors.

(38d) There shall be a sufficient number of fire doors at every underground station where practicable so that the shaft can be completely cut off from the rest of the mine.

Removal of  
refuse.

(38e) All inflammable refuse underground shall be removed at least once in every 24 hours, and shall be brought to the surface and there disposed of in a suitable manner.

Inflam-  
mable  
refuse.

(38f) Every shift boss and mine captain shall certify in writing to the mine manager at least once in every week, that there is no accumulation of inflammable refuse underground in the area under his supervision except as reported by him.

(38g) Suitable fire protection systems shall be installed at all underground crushers, tipples, and in dry shafts. <sup>Fire protection at crushers, etc.</sup>

(38h) Every mine which has a maximum production of 100 tons of ore per day, shall be equipped with the necessary mechanical apparatus so that the stench ethyl mercaptan may be introduced into the air line as a warning signal to underground workmen. <sup>Warning signal.</sup>

(38i) Legible signs showing the way to emergency exits shall be posted in prominent places underground and all workmen shall be instructed as to location of auxiliary exits. <sup>Signs showing emergency exits.</sup>

7. This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>

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BILL.

An Act to amend The Mining Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 25th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. McCREA.

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TORONTO:

Printed by  
The Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Niagara Parks Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Niagara Parks Act, 1929*, and shall come into force on the day upon which it receives the Royal Assent. Short title and commencement.

2. Section 8 of *The Niagara Parks Act* is amended by adding thereto the following clause,— Rev. Stat., c. 81, s. 8, amended.

(f) Erect, construct or acquire by purchase, lease or otherwise, and maintain and operate a bridge or bridges over the Niagara River and for that purpose enter into agreements or contracts with any corporation or individual or with any corporate or other authority having control of the territory beyond the International Boundary Line required for the purpose of such bridge or bridges, or enter into and carry out any agreement or arrangement for the joint construction, maintenance and operation by the Commission and such authority of any such bridge or bridges. Powers of Commission as to bridges, etc.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Niagara Parks Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. HENRY.

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TORONTO:

Printed by

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# BILL

## An Act to amend The Niagara Parks Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Niagara Parks Act, 1929*, Short title and commencement. and shall come into force on the day upon which it receives the Royal Assent.

2. Section 8 of *The Niagara Parks Act* is amended by Rev. Stat., c. 81, s. 8, amended. adding thereto the following clause,—

(f) Erect, construct or acquire by purchase, lease or otherwise, and maintain and operate a bridge or bridges over the Niagara River and for that purpose enter into agreements or contracts with any corporation or individual or with any corporate or other authority having control of the territory beyond the International Boundary Line required for the purpose of such bridge or bridges, or enter into and carry out any agreement or arrangement for the joint construction, maintenance and operation by the Commission and such authority of any such bridge or bridges. Powers of Commission as to bridges, etc.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Niagara Parks Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 8th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. HENRY.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty

# BILL

## An Act to facilitate the Investigation of Titles of Real Estate.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Investigation of Titles Act*, Short title.  
1929.

2. In this Act:—

Inter-  
pretation.

- (a) "Claim" shall mean and include any right, title, "Claim."  
interest, claim or demand of any kind or nature whatsoever affecting land and shall without limiting the generality of the foregoing, include mortgages, liens, easements, agreements, contracts, options, charges, annuities, leases, dower rights whether inchoate or otherwise, and restrictions as to use of land or other encumbrance affecting land, but shall not include any unregistered right of way or other easement or right which any person is openly enjoying and using or any claim imposed by any statutory enactment;
- (b) "Instrument" shall include every Crown grant, and "Instru-  
ment."  
order in council of the Dominion and of Ontario, every deed, conveyance, mortgage, assignment of mortgage, certificate of discharge of mortgage, assurance, lease, bond, release, discharge, power of attorney under which any such instrument is executed, every bond or agreement for the sale or purchase of land, will, probate of will, grant of administration, caution under *The Devolution of Estates Act* or renewal thereof, municipal by-law, certificate of proceedings in any court, judgment, or order of foreclosure and every other certificate of judgment or order of any court affecting any interest in or title to land, and certificate of amalgamation of loan corporations, every certificate of payment of taxes, granted under the corporate seal of the

county, city or town by the treasurer, every sheriff's and treasurer's deed of land sold by virtue of his office, every contract in writing, every order and proceeding in lunacy, bankruptcy and insolvency, every plan of a survey or subdivision of land, and every other instrument whereby land may be transferred, disposed of, charged, incumbered or affected in any wise, affecting land in Ontario;

"Land." (c) "Land" shall include lands, tenements, hereditaments and appurtenances and any estate or interest therein;

"Owner." (d) "Owner" shall mean and include a person entitled to a freehold or other estate or interest in land at law or in equity, in possession, in futurity, or in expectancy.

Title for forty years to be good.

**3.**—(1) From and after the coming into force of this subsection no person in dealing with land shall be required to show that he is lawfully entitled to such land as owner thereof through a good and sufficient chain of title, save and except during the period of forty years immediately preceding the date of such dealing as aforesaid, and no claim which has been in existence longer than the said forty years period shall affect such land, unless notice of such claim shall have been acknowledged or specifically referred to or contained in an instrument registered against such land within the said forty year period or unless a notice is registered against such land as provided in subsections 3 and 4 hereof.

Commencement of subs. 1.

(2) Subsection 1 shall come into force one year after the passing of this Act.

Registration of notice of claim.

(3) Upon the passing of this Act and within one year thereafter any person having a claim against any land, which claim has been in existence for forty years or more prior to the passing of this Act but in respect to which claim no notice of its existence has been given, acknowledged, or specifically referred to or contained in an instrument registered against such land within forty years prior to the passing of this Act, or any person on his behalf may register in the proper registry office a notice in which shall be set forth the claimant's full name and address and a description of the land and a detailed statement of such claim, verified by the affidavit of the person registering such notice.

Registering notice of claim.

(4) Any person having a claim against land or any person on his behalf may within forty years from the date the said claim came into existence, or within forty years from the date of registration of any instrument in which the said claim is

acknowledged or referred to, register a notice of such claim in form as set forth in subsection 3 hereof and such registration shall constitute a notice of such claim for a further period of forty years.

(a) Before a notice expires it may be re-registered and so on from time to time as long as the person registering the same or any person claiming under him deems it necessary, and every re-registered notice shall continue in force for forty years from the date of the registration thereof.

(5) The registration of a notice as provided in subsections 3 and 4 shall not in any way validate a claim which has otherwise expired. Registration not to validate expired claim.

(6) The registrar shall be entitled to a fee of \$1 for registering the notice referred to in subsections 3 and 4. Fees.

(7) The provisions of this Act shall have effect notwithstanding any statute or any rule made under the authority of a statute or any rule of law, and wherever there is any conflict between the provisions of this Act, and any such statute, rule or rule of law, the provisions of this Act shall prevail. Act to prevail over other provisions.

4. This Act shall come into force on the 1st day of June, 1929. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to facilitate the Investigation of  
Titles of Real Estate.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by



# BILL

## An Act to facilitate the Investigation of Titles of Real Estate.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Investigation of Titles Act*, Short title. 1929.

2. In this Act:—

Inter-pretation.

- (a) "Claim" shall mean and include any right, title, "Claim." interest, claim or demand of any kind or nature whatsoever affecting land *set forth in, based upon or arising out of a registered instrument*, and shall without limiting the generality of the foregoing, include mortgages, liens, easements, agreements, contracts, options, charges, annuities, leases, dower rights whether inchoate or otherwise, and restrictions as to use of land or other encumbrance affecting land, but shall not include any *highway, public lane*, unregistered right of way or other easement or right which any person is openly enjoying and using or any claim imposed by any statutory enactment;
- (b) "Instrument" shall include every Crown grant, and order in council of the Dominion and of Ontario, every deed, conveyance, mortgage, assignment of mortgage, certificate of discharge of mortgage, assurance, lease, bond, release, discharge, power of attorney under which any such instrument is executed, every bond or agreement for the sale or purchase of land, will, probate of will, grant of administration, caution under *The Devolution of Estates Act* or renewal thereof, municipal by-law, certificate of proceedings in any court, judgment, or order of foreclosure and every other certificate of judgment or order of any court affecting any interest in or title to land, and certificate of amalgamation of loan corporations, every certificate of payment of taxes, granted under the corporate seal of the

county, city or town by the treasurer, every sheriff's and treasurer's deed of land sold by virtue of his office, every contract in writing, every order and proceeding in lunacy, bankruptcy and insolvency, every plan of a survey or subdivision of land, and every other instrument whereby land may be transferred, disposed of, charged, incumbered or affected in any wise, affecting land in Ontario;

- "Land." (c) "Land" shall include lands, tenements, hereditaments and appurtenances and any estate or interest therein;
- "Owner." (d) "Owner" shall mean and include a person entitled to a freehold or other estate or interest in land at law or in equity, in possession, in futurity, or in expectancy.

Title  
for forty  
years to be  
good.

3.—(1) From and after the coming into force of this subsection no person in dealing with land shall be required to show that he is lawfully entitled to such land as owner thereof through a good and sufficient chain of title, save and except during the period of forty years immediately preceding the date of such dealing as aforesaid, and no claim which has been in existence longer than the said forty years period shall affect such land, unless such claim shall have been acknowledged or specifically referred to or contained in an instrument registered against such land within the said forty year period or unless a notice is registered against such land as provided in subsections 3, 4, and 5 hereof.

- (a) Where a person is shown by the books of a registry office to be the owner of a freehold or leasehold estate in land or of an equity of redemption therein prior to any forty year period and is continuously shown on the said books from time to time during the said forty year period and thereafter as the owner of either a freehold or leasehold estate in the same land or of an equity of redemption therein or any of them, such person's claim to the said land shall not be affected by failure to register the notice as required by subsection 1.
- (b) Notwithstanding the provisions of subsection 1, it shall not be necessary for a wife to register a claim with respect to her inchoate right to dower in land so long as her husband is wholly or in part the owner thereof.
- (c) In the case of a claim registered in respect of an inchoate right to dower in lands alienated by a husband without bar of dower, the period of forty years mentioned in subsection 1 shall run from the date of such alienation.

(2) Subsection 1 shall come into force *on the 1st day of June, 1930.* Commencement of subs. 1.

(3) Upon the *coming into force* of this Act and within one year thereafter any person having a claim against any land, which claim has been in existence for forty years or more prior to the *coming into force* of this Act but in respect to which claim no notice of its existence has been given, acknowledged, or specifically referred to or contained in an instrument registered against such land within forty years prior to the *coming into force* of this Act, or any person on his behalf may register in the proper registry office a notice in which shall be set forth the claimant's full name and address and a description of the land and a detailed statement of such claim, verified by the affidavit of the person registering such notice. Registration of notice of claim.

(4) Any person having a claim against land, or any person on his behalf, may within forty years from the date of the registration of any instrument in which the said claim is acknowledged, set forth, or referred to, or on which the said claim is based, or out of which the said claim arises, register a notice of such claim in the manner set out in section 3 hereof, and such registration shall constitute a notice of such claim for a further period of forty years. Registering notice of claim.

(a) Before a notice expires it may be re-registered and so on from time to time as long as the person registering the same or any person claiming under him deems it necessary, and every re-registered notice shall continue in force for forty years from the date of the registration thereof.

(5) Notwithstanding the provisions of subsections 3 and 4, any person having a claim against land which by the provisions of this Act would have expired, may register notice of such claim at any subsequent time provided there shall have been no intermediate registered dealing with such land, and such registration shall have the same effect as if done within the time limited by subsections 3 and 4.

(6) The registration of a notice as provided in subsections 3, 4, and 5 shall not in any way validate a claim which has otherwise expired. Registration not to validate expired claim.

(7) The registrar shall be entitled to a fee of \$1 for registering the notice referred to in subsections 3, 4, and 5. Fees.

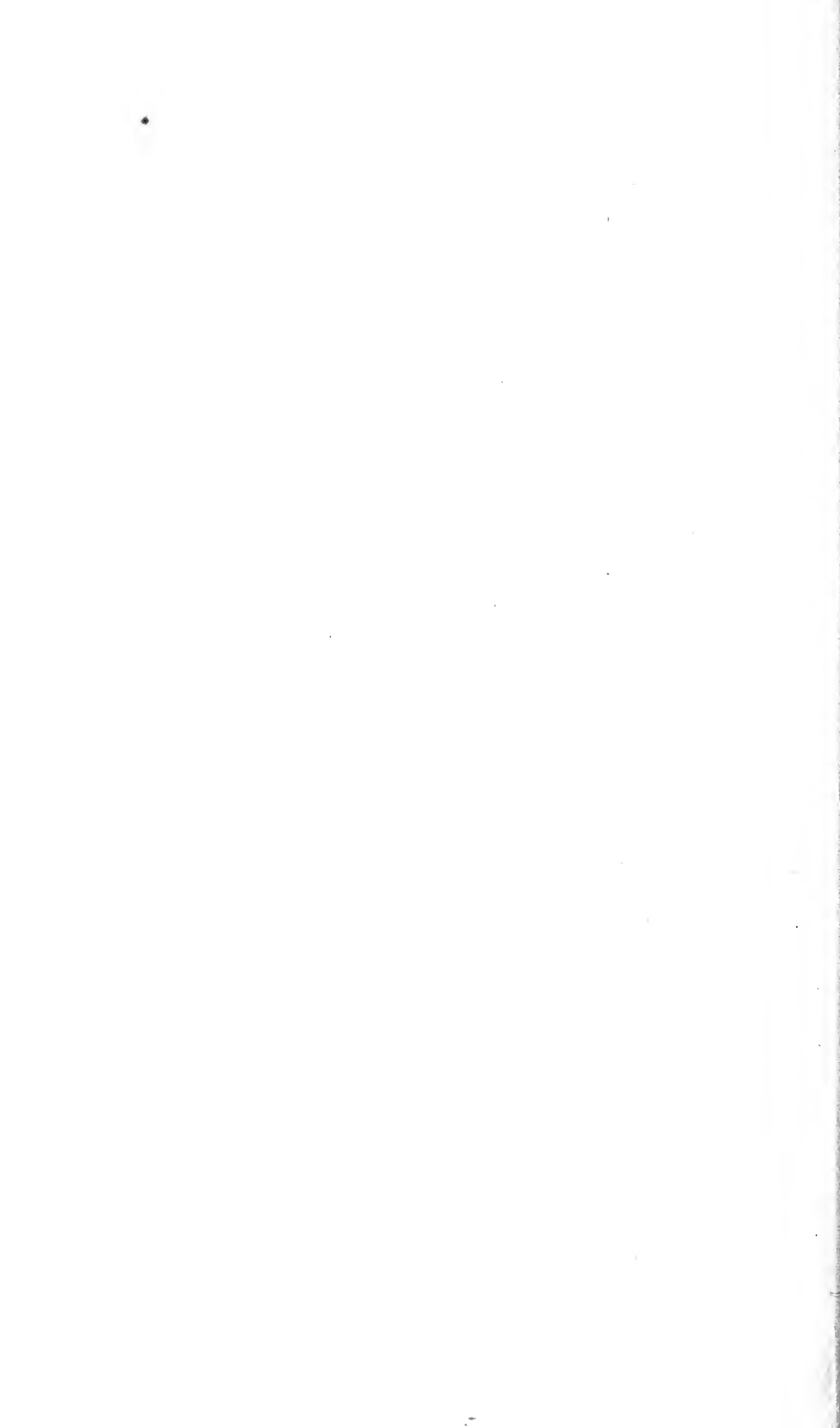
(8) The provisions of this Act shall have effect notwithstanding any statute or any rule made under the authority of a statute or any rule of law, and wherever there is any conflict between the provisions of this Act, and any such statute, rule or rule of law, the provisions of this Act shall prevail. Act to prevail over other provisions.

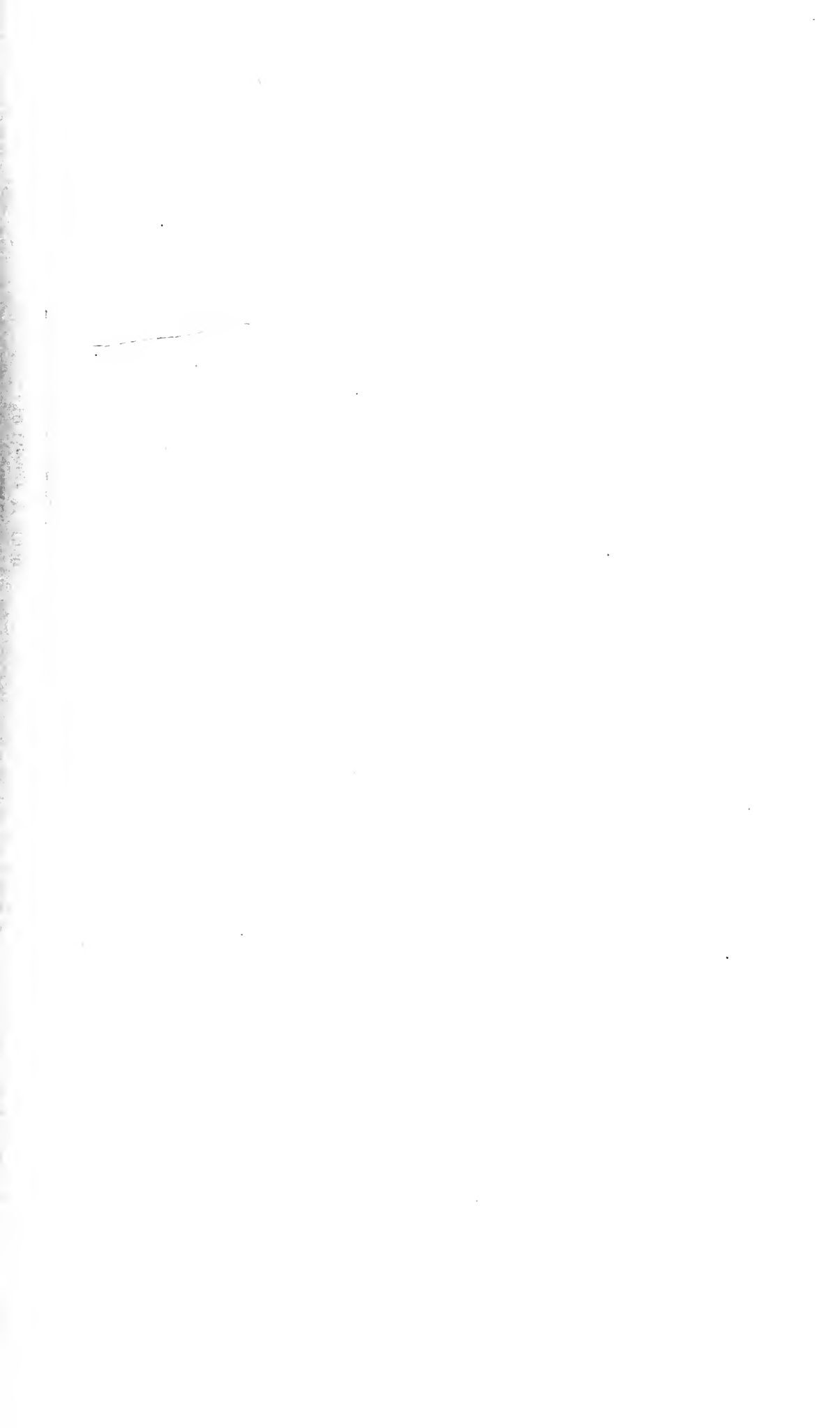
4. This Act shall not apply to land entered on the register in any land titles office.

Commence-  
ment of  
Act.

5. This Act shall come into force on the 1st day of June, 1929.







Ontario.  
19 George V, 1929.

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BILL.

An Act to facilitate the Investigation of  
Titles of Real Estate.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 13th, 1929

*3rd Reading*

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MR. PRICE.

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*(Reprinted as amended in Committee of the  
Whole House).*

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TORONTO:

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# BILL

## An Act to facilitate the Investigation of Titles of Real Estate.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Investigation of Titles Act*, Short title. 1929.

2. In this Act:—

Inter-pretation.

(a) "Claim" shall mean and include any right, title, "Claim." interest, claim or demand of any kind or nature whatsoever affecting land set forth in, based upon or arising out of a registered instrument, and shall without limiting the generality of the foregoing, include mortgages, liens, easements, agreements, contracts, options, charges, annuities, leases, dower rights whether inchoate or otherwise, and restrictions as to use of land or other encumbrance affecting land, but shall not include any highway, public lane, unregistered right of way or other easement or right which any person is openly enjoying and using or any claim imposed by any statutory enactment;

(b) "Instrument" shall include every Crown grant, and order in council of the Dominion and of Ontario, every deed, conveyance, mortgage, assignment of mortgage, certificate of discharge of mortgage, assurance, lease, bond, release, discharge, power of attorney under which any such instrument is executed, every bond or agreement for the sale or purchase of land, will, probate of will, grant of administration, caution under *The Devolution of Estates Act* or renewal thereof, municipal by-law, certificate of proceedings in any court, judgment, or order of foreclosure and every other certificate of judgment or order of any court affecting any interest in or title to land, and certificate of amalgamation of loan corporations, every certificate of payment of taxes, granted under the corporate seal of the

"Instru-ment."

Rev. Stat., c. 148.

county, city or town by the treasurer, every sheriff's and treasurer's deed of land sold by virtue of his office, every contract in writing, every order and proceeding in lunacy, bankruptcy and insolvency, every plan of a survey or subdivision of land, and every other instrument whereby land may be transferred, disposed of, charged, incumbered or affected in any wise, affecting land in Ontario;

- "Land." (c) "Land" shall include lands, tenements, hereditaments and appurtenances and any estate or interest therein;
- "Owner." (d) "Owner" shall mean and include a person entitled to a freehold or other estate or interest in land at law or in equity, in possession, in futurity, or in expectancy.

Title  
for forty  
years to be  
good.

3.—(1) From and after the coming into force of this subsection no person in dealing with land shall be required to show that he is lawfully entitled to such land as owner thereof through a good and sufficient chain of title, save and except during the period of forty years immediately preceding the date of such dealing as aforesaid, and no claim which has been in existence longer than the said forty years period shall affect such land, unless such claim shall have been acknowledged or specifically referred to or contained in an instrument registered against such land within the said forty year period or unless a notice is registered against such land as provided in subsections 3, 4, and 5 hereof.

- (a) Where a person is shown by the books of a registry office to be the owner of a freehold or leasehold estate in land or of an equity of redemption therein prior to any forty year period and is continuously shown on the said books from time to time during the said forty year period and thereafter as the owner of either a freehold or leasehold estate in the same land or of an equity of redemption therein or any of them, such person's claim to the said land shall not be affected by failure to register the notice as required by subsection 1.
- (b) Notwithstanding the provisions of subsection 1, it shall not be necessary for a wife to register a claim with respect to her inchoate right to dower in land so long as her husband is wholly or in part the owner thereof.
- (c) In the case of a claim registered in respect of an inchoate right to dower in lands alienated by a husband without bar of dower, the period of forty years mentioned in subsection 1 shall run from the date of such alienation.

(2) Subsection 1 shall come into force on the 1st day of June, 1930. Commencement of subs. 1.

5 (3) Upon the coming into force of this Act and within one year thereafter any person having a claim against any land, which claim has been in existence for forty years or more prior to the coming into force of this Act but in respect to which claim no notice of its existence has been given, acknowledged, or specifically referred to or contained in an instrument registered against such land within forty years prior to the coming into force of this Act, or any person on his behalf may register in the proper registry office a notice in which shall be set forth the claimant's full name and address and a description of the land and a detailed statement of such claim, verified by the affidavit of the person registering such notice. Registration of notice of claim.

(4) Any person having a claim against land, or any person on his behalf, may within forty years from the date of the registration of any instrument in which the said claim is acknowledged, set forth, or referred to, or on which the said claim is based, or out of which the said claim arises, register a notice of such claim in the manner set out in section 3 hereof, and such registration shall constitute a notice of such claim for a further period of forty years. Registering notice of claim.

(a) Before a notice expires it may be re-registered and so on from time to time as long as the person registering the same or any person claiming under him deems it necessary, and every re-registered notice shall continue in force for forty years from the date of the registration thereof.

(5) Notwithstanding the provisions of subsections 3 and 4, any person having a claim against land which by the provisions of this Act would have expired, may register notice of such claim at any subsequent time provided there shall have been no intermediate registered dealing with such land, and such registration shall have the same effect as if done within the time limited by subsections 3 and 4. Time for registering notice.

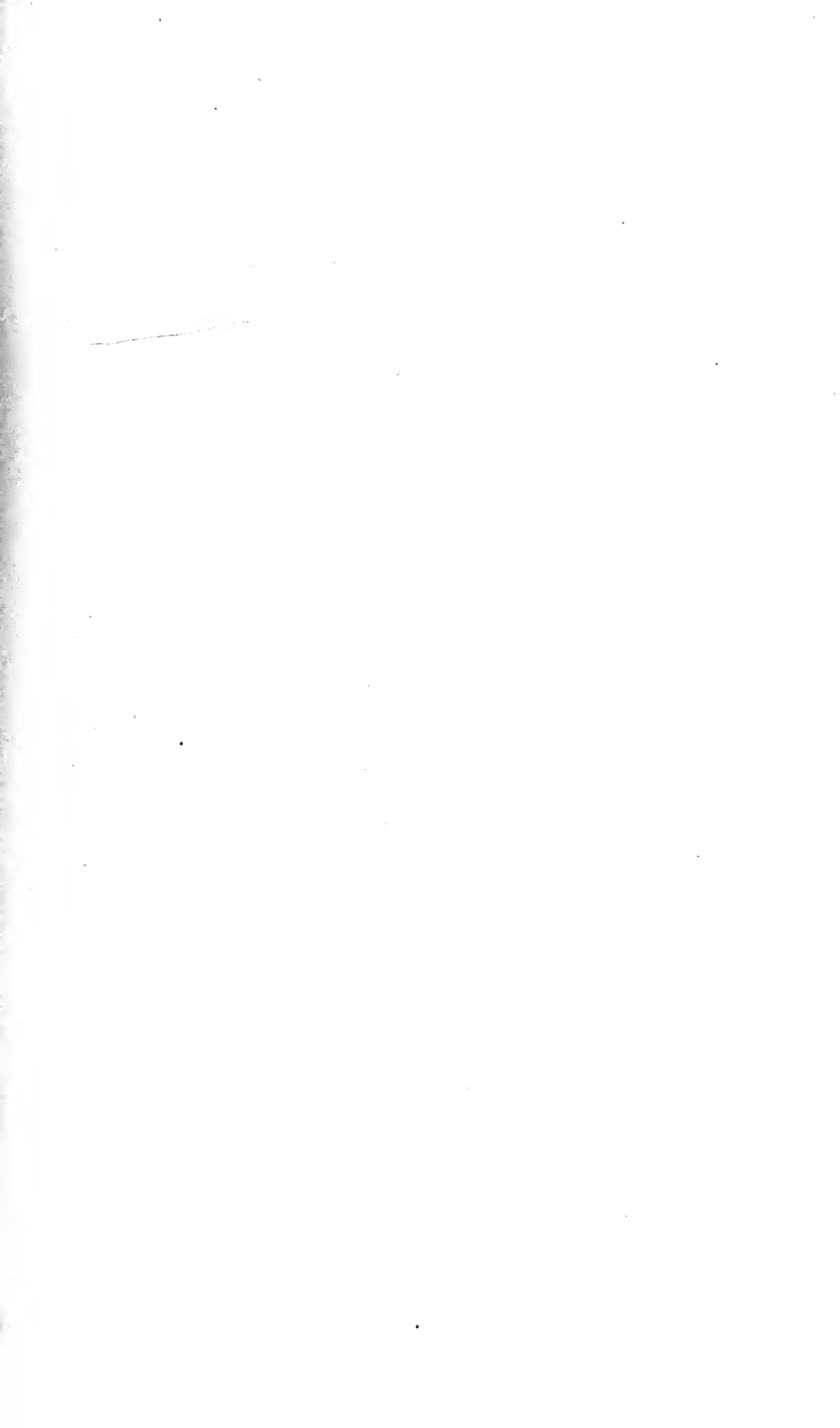
(6) The registration of a notice as provided in subsections 3, 4, and 5 shall not in any way validate a claim which has otherwise expired. Registration not to validate expired claim.

(7) The registrar shall be entitled to a fee of \$1 for registering the notice referred to in subsections 3, 4 and 5. Fees.

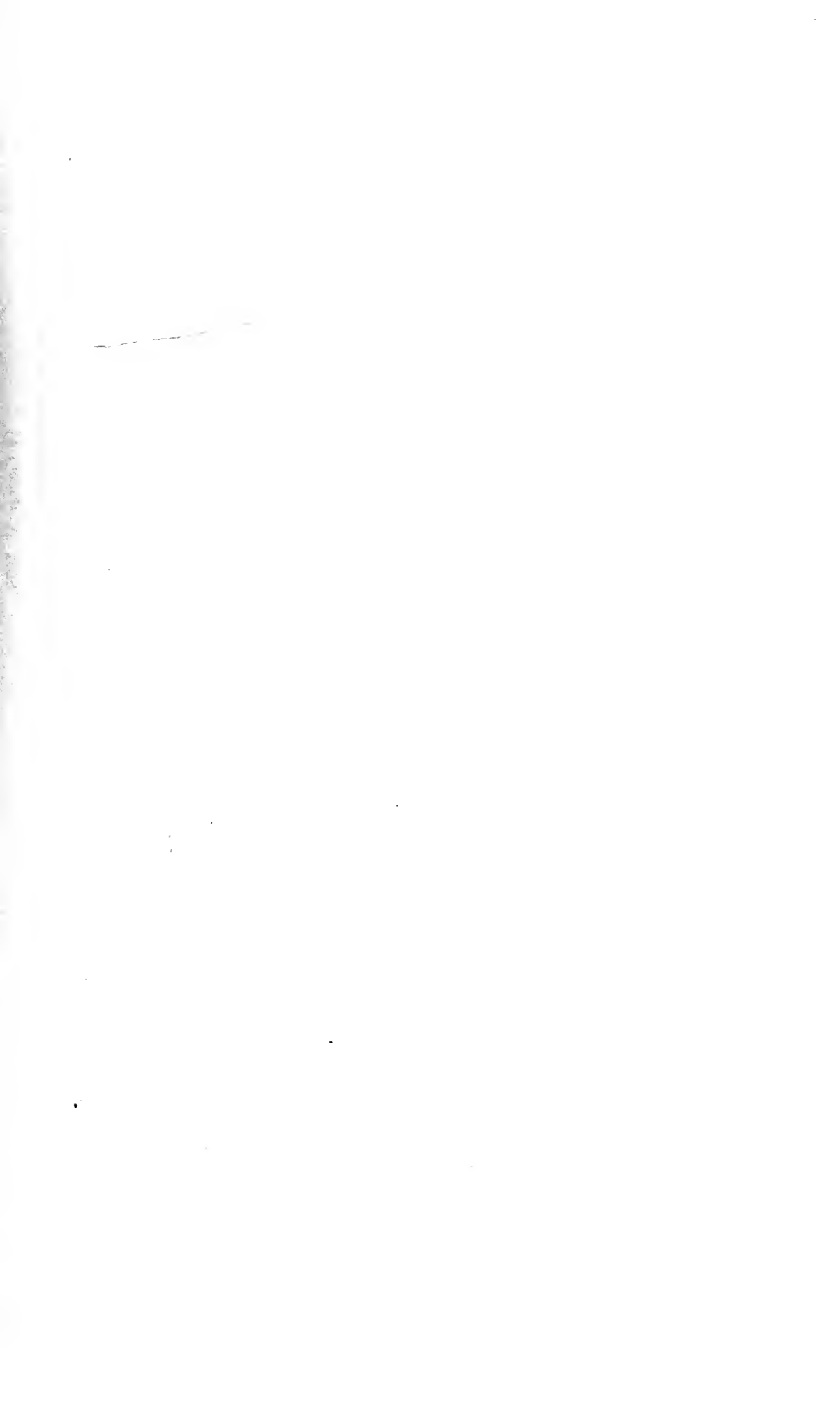
(8) The provisions of this Act shall have effect notwithstanding any statute or any rule made under the authority of a statute or any rule of law, and wherever there is any conflict between the provisions of this Act, and any such statute, rule or rule of law, the provisions of this Act shall prevail. Act to prevail over other provisions.

Act not to  
apply to land  
titles offices. **4.** This Act shall not apply to land entered on the  
register in any land titles office.

Commence-  
ment of  
Act. **5.** This Act shall come into force on the 1st day of June,  
1929.







Ontario.  
19 George V, 1929.

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BILL.

An Act to facilitate the Investigation of  
Titles of Real Estate.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 13th, 1929

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty



# BILL

## An Act to amend The Registry Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Registry Act, 1929*. Short title.
  
2. Subsection 1 of section 17 of *The Registry Act* is amended Rev. Stat.,  
c. 155, s. 17,  
subs. 1,  
amended. by inserting after the words "by him" in the eleventh line the words "but unless otherwise instructed he shall omit from such abstract all instruments ruled off pursuant to section 68a", and in such case the form of the certificate in Contents of  
abstract. subsection 2 shall be varied accordingly.
  
3. Subsection 8 of section 21 of *The Registry Act* is amended Rev. Stat.,  
c. 155, s. 21,  
subs. 8,  
amended. by inserting after the word "administration" in the second line the words "certificates of judgment or orders of any court removing or appointing executors, administrators, General  
register. guardians or trustees."
  
4. Section 26 of *The Registry Act* is amended by adding Rev. Stat.,  
c. 155, s. 26,  
amended. thereto the following subsection:—
  - (6) When an abstract index is to be recopied, it shall Re-copying  
abstract  
index. not be necessary to include in such recopying any of the instruments which have been ruled off as provided by section 68a or any portion of the abstract index containing a record of the instruments registered forty years or more before the date of the commencement of such recopying, but it shall be the duty of the registrar to carefully preserve such abstract index and it shall be available for inspection as in the case of current indexes.
  
5. *The Registry Act* is amended by adding thereto the Rev. Stat.,  
c. 155,  
amended. following section:—
  - 50a.—(1) Where a conveyance or mortgage is made by Affidavit or  
declaration  
as to con-  
dition of  
grantor. a man and no one joins therein as his wife it shall

not be registered unless there be made on or securely attached to it an affidavit or statutory declaration by such man that he is married, unmarried, a widower, or as the case may be, and of the full age of twenty-one years.

Dispensing with affidavit or declaration.

- (2) Where it is made to appear to the judge of a county or district court that the affidavit or statutory declaration required by subsection 1 cannot be obtained conveniently the judge may dispense with such affidavit or declaration, and thereupon shall endorse upon the instrument or firmly attach thereto his order directing the registrar to register the instrument notwithstanding the absence of such affidavit or declaration, and the registrar shall thereupon register such instrument.

(a) The judge may act upon such evidence by affidavit or otherwise as he may deem proper.

Entry in register.

- (3) In the case of a conveyance the registrar shall copy the affidavit, declaration or judge's order in the register with the copy of such conveyance and the additional copying shall be computed and charged for as part of the deed.

Rev. Stat., c. 155, amended.

6. *The Registry Act* is amended by adding thereto the following section:—

*Probates and Letters of Administration to be Registered.*

Registration of wills or letters of administration when conveyance made by personal representative or devisee, etc.

56a. No instrument purporting to convey or otherwise deal with land in any manner shall be registered if executed by any person as devisee, legatee, executor or administrator of the estate of a deceased person who at the time of his death appears from the register to have been in any wise possessed of or interested in the land in question unless before the time of registration of such instrument the will or the letters probate of the will or the letters of administration under which the person executing such instrument claims to be entitled has or have been registered in the registry division in which the land in question is situate and the date of registration and registered number thereof have been inserted in the body of the instrument or in its margin.

Rev. Stat., c. 155, s. 61, amended.

7. Section 61 of *The Registry Act* is amended by adding thereto the following subsections:

- (2) When a discharge or partial discharge of mortgage is tendered for registration, there shall be produced to the registrar the duplicate mortgage and assignments thereof, if any, or a declaration by the person signing such discharge, stating that the original duplicate mortgage or duplicate of any assignment thereof cannot be produced and the reason therefor and in such case, the declaration shall be securely attached to and filed away with the discharge and the duplicate shall be returned to the party registering the discharge. Production and cancellation of duplicate mortgage on registering discharge.
- (3) In the case of a mortgage in respect of which a full or complete discharge is registered, the duplicate mortgage before being returned shall be stamped by the registrar with a perforating stamp bearing the words, "*Discharge Registered*" across the signatures of the parties executing the mortgage and on the registrar's certificate of registration. Stamping discharged mortgage.
- (4) No additional fee shall be charged for filing the declaration referred to in subsection 2 and it shall not be necessary to copy the declaration in the register. Fee not to be charged.

8. *The Registry Act* is amended by adding thereto the following section: Rev. Stat., c. 155, amended.

- 68a.—(1) Where a mortgage registered since the 1st day of January, 1890, has been discharged and the discharge has been registered for ten years or more, and wherever a certificate of *lis pendens* registered since the 1st day of January, 1890, has been vacated and the certificate of the judgment or order vacating the same has been registered for two years or more, the registrar shall wherever such mortgage or the discharge thereof or any other instrument dealing exclusively with such mortgage and wherever such certificate of *lis pendens*, certificate of judgment or order vacating the same appear on any abstract index in his office, draw a line in red ink through all such entries and initial and date the same, and the lands described in such mortgage or certificate of *lis pendens* shall be deemed to be validly discharged therefrom. Marking off discharged mortgage, liens, etc., in abstract index.
- (2) Where a partial discharge of mortgage registered since the 1st day of January, 1890, has been registered for ten years or more and the mortgage does not affect any portion of the lot other than the Partial discharge.

portion described in the certificate of partial discharge, the provisions of subsection 1 of this section shall apply to such partial discharge of mortgage in like manner as they would to the mortgage if wholly discharged.

Extent of application of subs. 1, 2.

- (3) Subsections 1 and 2 of this section shall extend to and include instruments described in and registered under sections 34, 67 and 68.

Mechanics' liens.

- (4) Where a mechanics lien registered since the 1st day of January, 1890, has been discharged and the discharge has been registered for two years or more and wherever a mechanics lien registered since the 1st day of January, 1890, has been registered for two years and no certificate of action has been registered as required by *The Mechanics Lien Act*, and wherever a mechanics lien has been so registered and a certificate of action has also been registered and such certificate of action has been vacated or discharged and the order, or certificate of order vacating or discharging same has been registered for two years or more, the registrar shall, wherever such mechanics lien or any assignment or discharge thereof, certificate of action, or order, or certificate of order vacating the same, appear on any abstract index in his office, draw a line in red ink through all such entries and initial and date the same and such mechanics lien shall be deemed to be validly discharged and such certificate of action shall be deemed to be duly vacated.

Bringing abstract index into conformity with Act.

- (5) The registrar shall within one year after the passing of this Act bring his abstract index into conformity with the requirements of subsections 1, 2 and 3, and upon the completion of this work to the satisfaction of the inspector, a registrar who is not paid by salary shall be entitled to receive in payment for such services a sum to be determined by the inspector and paid by the treasurer of the county or city comprising such registry division, and a town separated from the county for municipal purposes, and a city for which there is not a separate registry office shall pay to the county such equitable proportion thereof as the inspector shall direct.

Employment of additional assistance.

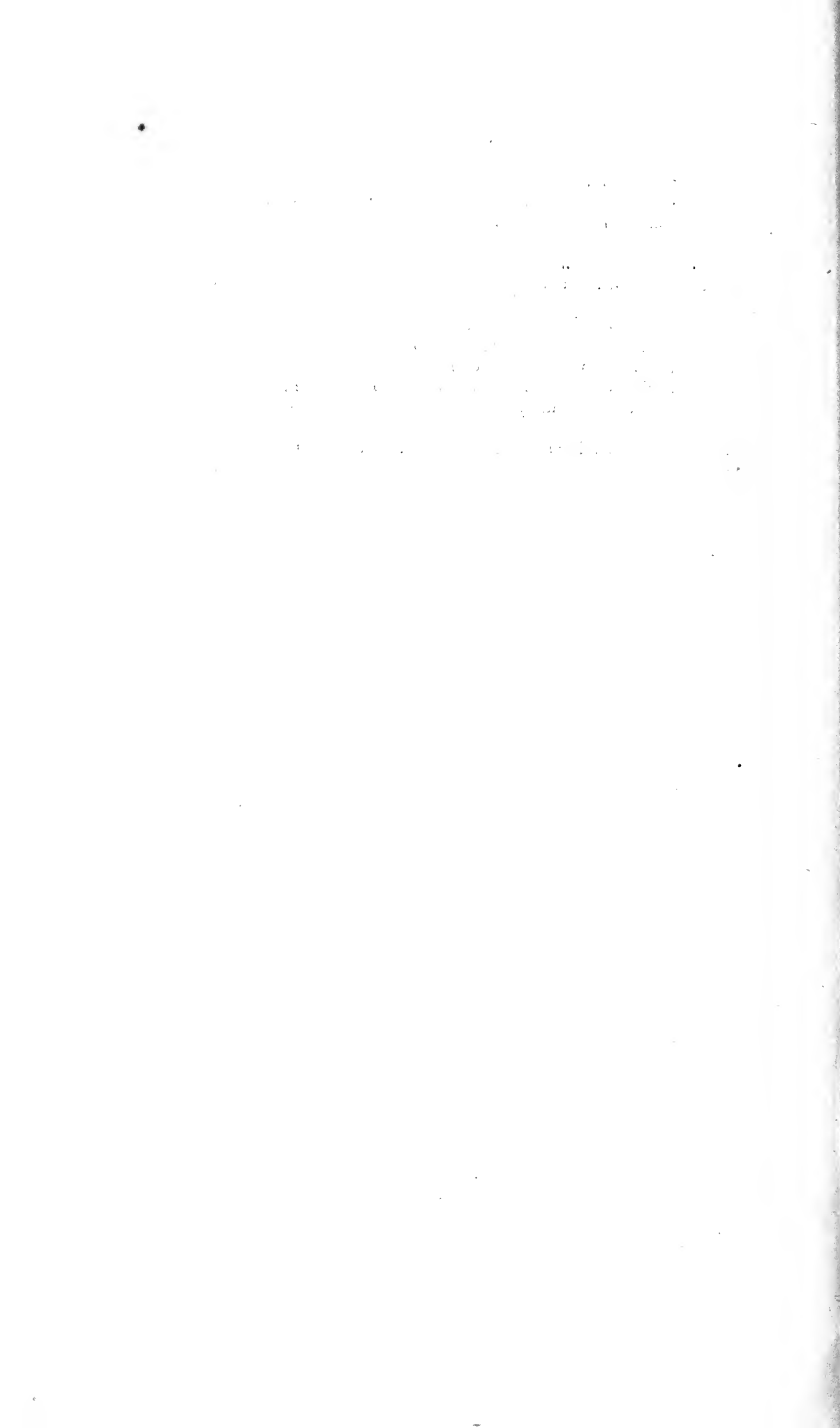
- (6) Where the inspector considers it advisable he may authorize a registrar to employ such additional assistance as may be necessary to do properly the work required to be done by this section and in

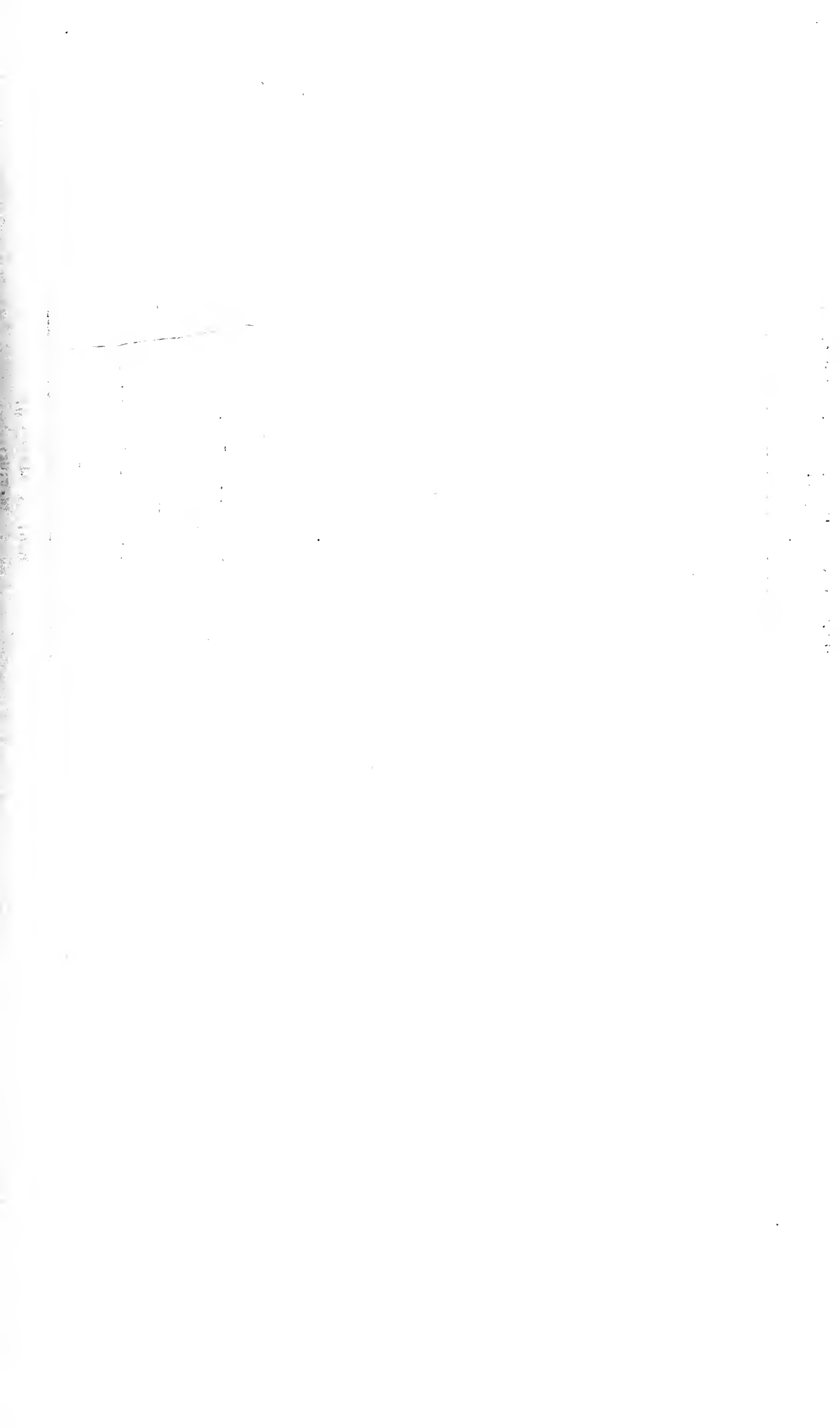
determining the amount to be allowed for this work the cost of such assistance shall be taken into consideration by the inspector.

**9.** Section 80 of *The Registry Act* is amended by adding thereto the following subsection: Rev. Stat. c. 155, s. 80, amended.

(14a) Any public or private street, way, lane or alley or block, tract or lot, being the only access to a lot or lots laid down on a plan of survey and subdivision, shall, for the purposes of this section, be deemed to be a street or highway.

**10.** This Act shall come into force on the 1st day of June, 1929. Commencement of Act.





19th Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Registry Act.

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*1st Reading*

February 6th, 1829.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Registry Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Registry Act, 1929*. Short title.
  
2. Subsection 1 of section 17 of *The Registry Act* is amended by inserting after the words "by him" in the eleventh line the words "but unless otherwise instructed he shall omit from such abstract all instruments ruled off pursuant to section 68a", and in such case the form of the certificate in subsection 2 shall be varied accordingly. Rev. Stat.,  
c. 155, s. 17,  
subs. 1,  
amended.  
  
Contents of  
abstract.
  
3. Subsection 8 of section 21 of *The Registry Act* is amended by inserting after the word "administration" in the second line the words "certificates of judgment or orders of any court removing or appointing executors, administrators, guardians or trustees." Rev. Stat.,  
c. 155, s. 21,  
subs. 8,  
amended.  
  
General  
register.
  
4. Section 26 of *The Registry Act* is amended by adding thereto the following subsection:— Rev. Stat.,  
c. 155, s. 26,  
amended.
  - (6) When an abstract index is to be recopied, it shall not be necessary to include in such recopying any of the instruments which have been ruled off as provided by section 68a or any portion of the abstract index containing a record of the instruments registered forty years or more before the date of the commencement of such recopying, but it shall be the duty of the registrar to carefully preserve such abstract index and it shall be available for inspection as in the case of current indexes. Re-copying  
abstract  
index.
  
5. *The Registry Act* is amended by adding thereto the following section:— Rev. Stat.,  
c. 155,  
amended.
  - 50a.—(1) Where a conveyance or mortgage is made by a man and no one joins therein as his wife it shall Affidavit or  
declaration  
as to con-  
dition of  
grantor.

not be registered unless there be made on or securely attached to it an affidavit or statutory declaration by such man that he is married, unmarried, a widower, or as the case may be, and of the full age of twenty-one years.



Dispensing with affidavit or declaration.

- (2) Where it is made to appear to the judge of a county or district court that the affidavit or statutory declaration required by subsection 1 cannot be obtained conveniently the judge may dispense with such affidavit or declaration, and thereupon shall endorse upon the instrument or firmly attach thereto his order directing the registrar to register the instrument notwithstanding the absence of such affidavit or declaration, and the registrar shall thereupon register such instrument.

(a) The judge may act upon such evidence by affidavit or otherwise as he may deem proper.

Entry in register.

- (3) In the case of a conveyance the registrar shall copy the affidavit, declaration or judge's order in the register with the copy of such conveyance and the additional copying shall be computed and charged for as part of the deed.

 (a) This section shall not apply to a conveyance or mortgage made by the Public Trustee, Official Guardian, an executor, administrator, trustee or other person dealing with land in an official capacity. 

Rev. Stat., c. 155, amended.

**6.** *The Registry Act* is amended by adding thereto the following section:—

*Probates and Letters of Administration to be Registered.*

Registration of wills or letters of administration when conveyance made by personal representative or devisee, etc.

- 56a. No instrument purporting to convey or otherwise deal with land in any manner shall be registered if executed by any person as devisee, legatee, executor or administrator of the estate of a deceased person who at the time of his death appears from the register to have been in any wise possessed of or interested in the land in question unless before the time of registration of such instrument the will or the letters probate of the will or the letters of administration under which the person executing such instrument claims to be entitled has or have been registered in the registry division in which the land in question is situate and the date of registration and registered number thereof have been inserted in the body of the instrument or in its margin.

7. Section 61 of *The Registry Act* is amended by adding thereto the following subsections: Rev. Stat., c. 155, s. 61, amended.

- (2) When a discharge of mortgage is tendered for registration, there shall be produced to the registrar the duplicate mortgage and assignments thereof, if any, or a declaration by the person signing such discharge, stating that the original duplicate mortgage or duplicate of any assignment thereof cannot be produced and the reason therefor and in such case, the declaration shall be securely attached to and filed away with the discharge and the duplicate shall be returned to the party registering the discharge. Production and cancellation of duplicate mortgage on registering discharge.
- (3) The duplicate mortgage before being returned shall be stamped by the registrar with a perforating stamp bearing the words, "*Discharge Registered*" across the signatures of the parties executing the mortgage and on the registrar's certificate of registration. Stamping discharged mortgage.
- (4) No additional fee shall be charged for filing the declaration referred to in subsection 2 and it shall not be necessary to copy the declaration in the register. Fee not to be charged.

8. *The Registry Act* is amended by adding thereto the following section: Rev. Stat., c. 155, amended.

- 68a.—(1) Where a mortgage registered since the 1st day of January, 1890, is *purported to be discharged* and the certificate *purporting to be the discharge thereof* has been registered for ten years or more, and wherever a certificate of *lis pendens* registered since the 1st day of January, 1890, has been vacated and the certificate of the judgment or order vacating the same has been registered for two years or more, the registrar shall wherever such mortgage or the *said* discharge thereof or any other instrument dealing exclusively with such mortgage and wherever such certificate of *lis pendens*, certificate of judgment or order vacating the same appear on any abstract index in his office, draw a line in red ink through all such entries and initial and date the same, and the lands described in such mortgage or certificate of *lis pendens* shall be validly discharged therefrom. Marking off discharged mortgage, liens, etc., in abstract index.
- (2) Where a *certificate purporting to be a partial discharge* of mortgage registered since the 1st day of January, 1890, has been registered for ten years or more and Partial discharge.

the mortgage does not affect any portion of the lot other than the portion described in the certificate of partial discharge, the provisions of subsection 1 of this section shall apply to such partial discharge of mortgage in like manner as they would to the mortgage if wholly discharged.

Extent of application of subss. 1, 2.

- (3) Subsections 1 and 2 of this section shall extend to and include *also* instruments described in and registered under sections 34, 67 and 68.

Mechanics' liens.

- (4) Where a mechanic's lien registered since the 1st day of January, 1890, is *purported to be discharged and the document purporting to be the discharge thereof* has been registered for two years or more and wherever a mechanic's lien registered since the 1st day of January, 1890, has been registered for two years and no certificate of action has been registered as required by *The Mechanic's Lien Act*, and wherever a mechanics lien has been so registered and a certificate of action has also been registered and such certificate of action has been vacated or discharged and the order, or certificate of order vacating or discharging same has been registered for two years or more, the registrar shall, wherever such mechanic's lien or any assignment or discharge thereof, certificate of action, or order, or certificate of order vacating the same, appear on any abstract index in his office, draw a line in red ink through all such entries and initial and date the same and such mechanic's lien shall be validly discharged and such certificate of action shall be duly vacated.

Rev. Stat., c. 173.

Bringing abstract index into conformity with Act.

- (5) The registrar shall within one year after the passing of this Act bring his abstract indexes into conformity with the requirements of subsections 1, 2, 3 and 4 and upon the completion of this work to the satisfaction of the inspector, a registrar who is not paid by salary shall be entitled to receive in payment for such services a sum to be determined by the inspector and paid by the treasurer of the county or city comprising such registry division, and a town separated from the county for municipal purposes, and a city for which there is not a separate registry office shall pay to the county such equitable proportion thereof as the inspector shall direct.

Employment of additional assistance.

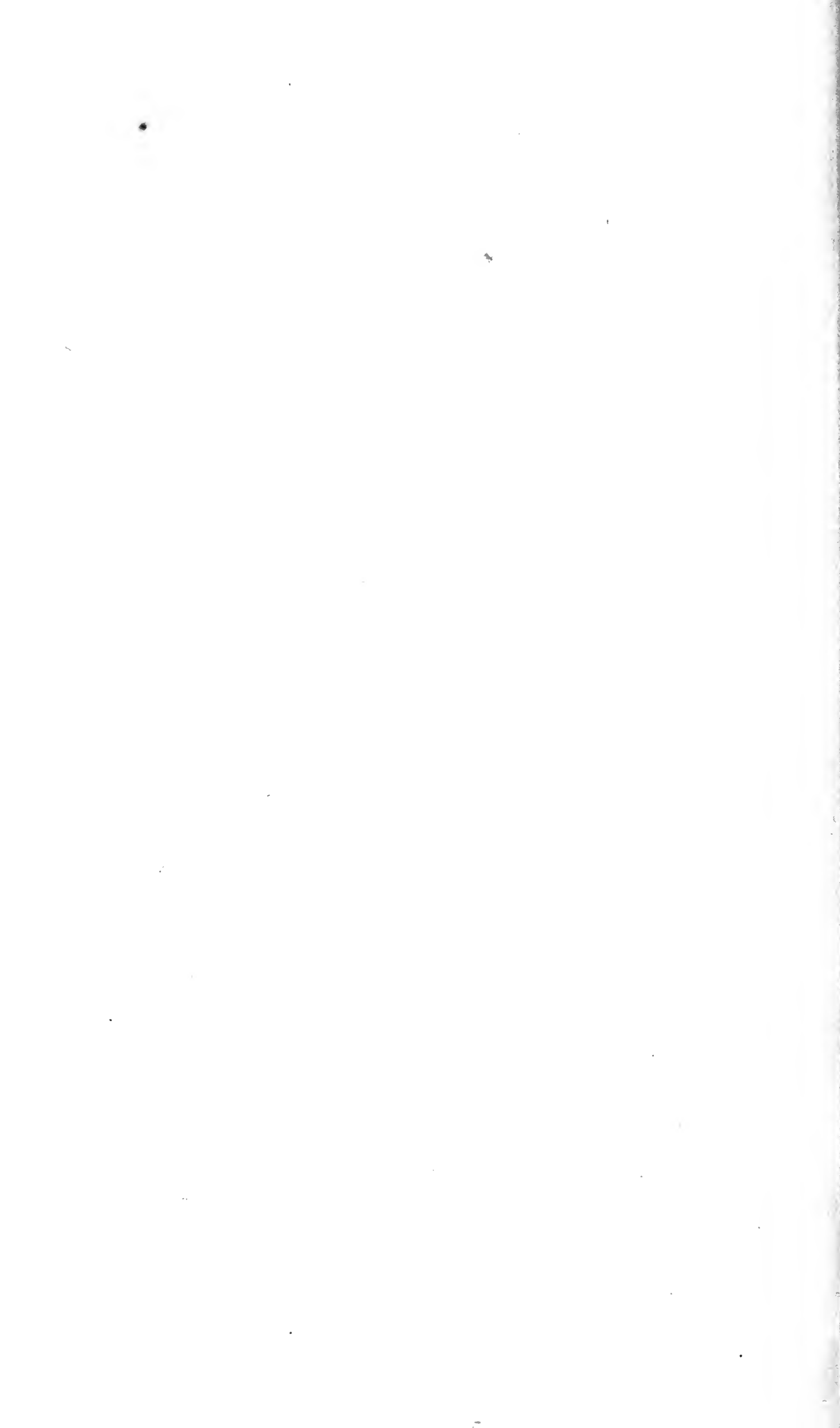
- (6) Where the inspector considers it advisable he may authorize a registrar to employ such additional assistance as may be necessary to do properly the work required to be done by this section and in

determining the amount to be allowed for this work the cost of such assistance shall be taken into consideration by the inspector.

9. Section 80 of *The Registry Act* is amended by adding thereto the following subsection: Rev. Stat. c. 155, s. 80, amended.

(14a) Any public or private street, way, lane or alley or block, tract or lot, being the only access to a lot or lots laid down on a plan of survey and subdivision, shall, for the purposes of this section, be deemed to be a street or highway.

10. This Act shall come into force on the 1st day of June, 1929. Commencement of Act.





Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Registry Act.

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*1st Reading*

February 6th, 1829.

*2nd Reading*

February 13th, 1929

*3rd Reading*

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MR. PRICE.

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*(Reprinted as amended in Committee of the  
Whole House).*

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Registry Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Registry Act, 1929*. Short title.
  
2. Subsection 1 of section 17 of *The Registry Act* is amended Rev. Stat.,  
c. 155, s. 17,  
subs. 1,  
amended. by inserting after the words "by him" in the eleventh line the words "but unless otherwise instructed he shall omit from such abstract all instruments ruled off pursuant to section 68a", and in such case the form of the certificate in Contents of  
abstract. subsection 2 shall be varied accordingly.
  
3. Subsection 8 of section 21 of *The Registry Act* is amended Rev. Stat.,  
c. 155, s. 21,  
subs. 8,  
amended by inserting after the word "administration" in the second line the words "certificates of judgment or orders of any court removing or appointing executors, administrators, General  
register. guardians or trustees."
  
4. Section 26 of *The Registry Act* is amended by adding Rev. Stat.,  
c. 155, s. 26,  
amended. thereto the following subsection:—
  - (6) When an abstract index is to be recopied, it shall Re-copying  
abstract  
index. not be necessary to include in such recopying any of the instruments which have been ruled off as provided by section 68a or any portion of the abstract index containing a record of the instruments registered forty years or more before the date of the commencement of such recopying, but it shall be the duty of the registrar to carefully preserve such abstract index and it shall be available for inspection as in the case of current indexes.
  
5. *The Registry Act* is amended by adding thereto the Rev. Stat.,  
c. 155,  
amended. following section:—
  - 50a.—(1) Where a conveyance or mortgage is made by Affidavit or  
declaration  
as to con-  
dition of  
grantor. a man and no one joins therein as his wife it shall

not be registered unless there be made on or securely attached to it an affidavit or statutory declaration by such man that he is married, unmarried, a widower, or as the case may be, and of the full age of twenty-one years.

Dispensing with affidavit or declaration.

- (2) Where it is made to appear to the judge of a county or district court that the affidavit or statutory declaration required by subsection 1 cannot be obtained conveniently the judge may dispense with such affidavit or declaration, and thereupon shall endorse upon the instrument or firmly attach thereto his order directing the registrar to register the instrument notwithstanding the absence of such affidavit or declaration, and the registrar shall thereupon register such instrument.

- (a) The judge may act upon such evidence by affidavit or otherwise as he may deem proper.

Entry in register.

- (3) In the case of a conveyance the registrar shall copy the affidavit, declaration or judge's order in the register with the copy of such conveyance and the additional copying shall be computed and charged for as part of the deed.

- (a) This section shall not apply to a conveyance or mortgage made by the Public Trustee, Official Guardian, an executor, administrator, trustee or other person dealing with land in an official capacity.

Rev. Stat., c. 155, amended.

6. *The Registry Act* is amended by adding thereto the following section:—

*Probates and Letters of Administration to be Registered.*

Registration of wills or letters of administration when conveyance made by personal representative or devisee, etc.

56a. No instrument purporting to convey or otherwise deal with land in any manner shall be registered if executed by any person as devisee, legatee, executor or administrator of the estate of a deceased person who at the time of his death appears from the register to have been in any wise possessed of or interested in the land in question unless before the time of registration of such instrument the will or the letters probate of the will or the letters of administration under which the person executing such instrument claims to be entitled has or have been registered in the registry division in which the land in question is situate and the date of registration and registered number thereof have been inserted in the body of the instrument or in its margin.

7. Section 61 of *The Registry Act* is amended by adding thereto the following subsections: Rev. Stat., c. 155, s. 61, amended.

- (2) When a discharge of mortgage is tendered for registration, there shall be produced to the registrar the duplicate mortgage and assignments thereof, if any, or a declaration by the person signing such discharge, stating that the original duplicate mortgage or duplicate of any assignment thereof cannot be produced and the reason therefor and in such case, the declaration shall be securely attached to and filed away with the discharge and the duplicate shall be returned to the party registering the discharge. Production and cancellation of duplicate mortgage on registering discharge.
- (3) The duplicate mortgage before being returned shall be stamped by the registrar with a perforating stamp bearing the words, "*Discharge Registered*" across the signatures of the parties executing the mortgage and on the registrar's certificate of registration. Stamping discharged mortgage.
- (4) No additional fee shall be charged for filing the declaration referred to in subsection 2 and it shall not be necessary to copy the declaration in the register. Fee not to be charged.

8. *The Registry Act* is amended by adding thereto the following section: Rev. Stat., c. 155, amended.

- 68a.—(1) Where a mortgage registered since the 1st day of January, 1890, is purported to be discharged and the certificate purporting to be the discharge thereof has been registered for ten years or more, and wherever a certificate of *lis pendens* registered since the 1st day of January, 1890, has been vacated and the certificate of the judgment or order vacating the same has been registered for two years or more, the registrar shall wherever such mortgage or the said discharge thereof or any other instrument dealing exclusively with such mortgage and wherever such certificate of *lis pendens*, certificate of judgment or order vacating the same appear on any abstract index in his office, draw a line in red ink through all such entries and initial and date the same, and the lands described in such mortgage or certificate of *lis pendens* shall be validly discharged therefrom. Marking off discharged mortgage, liens, etc., in abstract index.
- (2) Where a certificate purporting to be a partial discharge of mortgage registered since the 1st day of January, 1890, has been registered for ten years or Partial discharge.

more and the mortgage does not affect any portion of the lot other than the portion described in the certificate of partial discharge, the provisions of subsection 1 of this section shall apply to such partial discharge of mortgage in like manner as they would to the mortgage if wholly discharged.

- Extent of application of subss. 1, 2.
- (3) Subsections 1 and 2 of this section shall extend to and include also instruments described in and registered under sections 34, 67 and 68.
- Mechanics' liens.
- (4) Where a mechanic's lien registered since the 1st day of January, 1890, is purported to be discharged and the document purporting to be the discharge thereof has been registered for two years or more and wherever a mechanic's lien registered since the 1st day of January, 1890, has been registered for two years and no certificate of action has been registered as required by *The Mechanic's Lien Act*, and wherever a mechanics lien has been so registered and a certificate of action has also been registered and such certificate of action has been vacated or discharged and the order, or certificate of order vacating or discharging same has been registered for two years or more, the registrar shall, wherever such mechanic's lien or any assignment or discharge thereof, certificate of action, or order, or certificate of order vacating the same, appear on any abstract index in his office, draw a line in red ink through all such entries and initial and date the same and such mechanic's lien shall be validly discharged and such certificate of action shall be duly vacated.
- Rev. Stat., c. 173.
- (5) The registrar shall within one year after the passing of this Act bring his abstract indexes into conformity with the requirements of subsections 1, 2, 3 and 4 and upon the completion of this work to the satisfaction of the inspector, a registrar who is not paid by salary shall be entitled to receive in payment for such services a sum to be determined by the inspector and paid by the treasurer of the county or city comprising such registry division, and a town separated from the county for municipal purposes, and a city for which there is not a separate registry office shall pay to the county such equitable proportion thereof as the inspector shall direct.
- Bringing abstract index into conformity with Act.
- (6) Where the inspector considers it advisable he may authorize a registrar to employ such additional assistance as may be necessary to do properly the work required to be done by this section and in
- Employment of additional assistance.

determining the amount to be allowed for this work the cost of such assistance shall be taken into consideration by the inspector.

**9.** Section 80 of *The Registry Act* is amended by adding thereto the following subsection: Rev. Stat. c. 155, s. 80, amended.

(14a) Any public or private street, way, lane or alley or block, tract or lot, being the only access to a lot or lots laid down on a plan of survey and subdivision, shall, for the purposes of this section, be deemed to be a street or highway. What to be deemed street or highway.

**10.** This Act shall come into force on the 1st day of June, 1929. Commencement of Act.





Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Registry Act.

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*1st Reading*

February 6th, 1829.

*2nd Reading*

February 13th, 1929

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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TORONTO:

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# BILL

## An Act to amend The Land Titles Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Land Titles Act, 1929.* Short title.

**2.** Subsection 3 of section 151 of *The Land Titles Act* is amended by adding thereto the following words, "or a deputy local master of titles having five years' practice in a land titles office." Rev. Stat., c. 158, s. 151, subs. 3, amended.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Land Titles Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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T O R O N T O :

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# BILL

## An Act to amend The Land Titles Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Land Titles Act, 1929.* Short title.

2. Subsection 3 of section 151 of *The Land Titles Act* is amended by adding thereto the following words, "or a deputy local master of titles having five years' practice in a land titles office." Rev. Stat., c. 158, s. 151, subs. 3, amended.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Land Titles Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 8th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. PRICE.

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TORONTO :

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# BILL

## An Act to amend The Planning and Development Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Planning and Development Act, 1929*. Short title.

**2.** Section 5 of *The Planning and Development Act* is amended by adding thereto the following subsection: Rev. Stat. c. 236, s. 5, amended.

(3a) Any public or private street, way, lane or alley or block, tract or lot, being the only access to a lot or lots laid down on a plan of survey and subdivision, shall, for the purposes of this section, be deemed to be a street or highway.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Planning and  
Development Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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T O R O N T O

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# BILL

## An Act to amend The Planning and Development Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Planning and Development Act, 1929*. Short title.

**2.** Section 5 of *The Planning and Development Act* is amended by adding thereto the following subsection: Rev. Stat., c. 236, s. 5, amended.

(3a) Any public or private street, way, lane or alley or block, tract or lot, being the only access to a lot or lots laid down on a plan of survey and subdivision, shall, for the purposes of this section, be deemed to be a street or highway. Private street, lane, etc., deemed highway.

**3.** Section 6 of *The Planning and Development Act* is amended by adding thereto the following subsection: Rev. Stat., c. 236, s. 6, amended.

(2) Where the tract of land is situate in the urban zone or joint urban zone of a city having a population of not less than 200,000 it shall only be necessary to submit the plan of survey and subdivision to the council of such city and to the council of the municipality in which the tract of land is situate, and the provisions of clauses *c*, *d* and *e* shall apply. Case of land in urban zone of city over 200,000.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Planning and  
Development Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 8th, 1929.

*3rd Reading*

March 15th, 1929.

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MR. PRICE.

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T O R O N T O

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# BILL

## An Act to amend The Mortgage Tax Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Mortgage Tax Act, 1929*. Short title.
2. Subsection 2 of section 2 of *The Mortgage Tax Act* is amended by striking out the words "to the said Inspector, who shall deposit the same in a special account in some incorporated bank in which public money of the Province is being deposited" and substituting therefor the words "to the treasurer of the municipality." Rev. Stat., c. 156, s. 2, subs. 2, amended.
3. Subsection 3 of section 2 of *The Mortgage Tax Act* is repealed. Rev. Stat., c. 156, s. 2, subs. 3, repealed.
4. Section 7 of *The Mortgage Tax Act* is amended by striking out the last four lines and substituting the following: "amount required to pay off the original mortgage or charge but the Registrar or Master shall not register or enter such renewal mortgage or charge until the full and true amount of the moneys required to pay off such original mortgage or charge has been proven by affidavit filed with him." Rev. Stat., c. 156, s. 7, amended.
5. Section 8 of *The Mortgage Tax Act* is amended by striking out the words "before registering or entering such renewal mortgage or charge may require such further proof of the facts as he may deem necessary" at the end of the said section and substituting therefor the following: "shall not register or enter such new mortgage or charge until the full and true amount of the moneys required to pay off such prior mortgage or charge has been proven by affidavit filed with him." Rev. Stat., c. 156, s. 8, amended.
6. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Mortgage Tax Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Mortgage Tax Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Mortgage Tax Act, 1929*. Short title.
2. Subsection 2 of section 2 of *The Mortgage Tax Act* is amended by striking out the words "to the said Inspector, who shall deposit the same in a special account in some incorporated bank in which public money of the Province is being deposited" and substituting therefor the words "to the treasurer of the municipality." Rev. Stat., c. 156, s. 2, subs. 2, amended.
3. Subsection 3 of section 2 of *The Mortgage Tax Act* is repealed. Rev. Stat., c. 156, s. 2, subs. 3, repealed.
4. Section 7 of *The Mortgage Tax Act* is amended by striking out the last four lines and substituting the following: "amount required to pay off the original mortgage or charge but the Registrar or Master shall not register or enter such renewal mortgage or charge until the full and true amount of the moneys required to pay off such original mortgage or charge has been proven by affidavit filed with him." Rev. Stat., c. 156, s. 7, amended.
5. Section 8 of *The Mortgage Tax Act* is amended by striking out the words "before registering or entering such new mortgage or charge may require such further proof of the facts as he may deem necessary" at the end of the said section and substituting therefor the following: "shall not register or enter such new mortgage or charge until the full and true amount of the moneys required to pay off such prior mortgage or charge has been proven by affidavit filed with him." Rev. Stat., c. 156, s. 8, amended.
6. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Mortgage Tax Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 8th, 1929.

*3rd Reading*

March 26th, 1929.

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MR. PRICE.

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T O R O N T O :

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# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 121 of *The Assessment Act* is repealed and the following substituted therefor: Rev. Stat., c. 238, s. 121, repealed.

121.—(1) An application to the court of revision for the cancellation or reduction of taxes may be made by any person assessed,— Application to Court of Revision for cancellation or reduction of taxes.

- (a) for a tenement which remained vacant during more than three months in the year in which the assessment was made; or
- (b) who declares that from sickness or extreme poverty he is unable to pay his taxes; or
- (c) who by reason of any gross or manifest error in the assessment roll has been overcharged; or
- (d) for business who has not carried on such business for the whole year in which the assessment was made,

and the court of revision subject to the provisions of any by-law governing clauses (a), (b) and (c) may cancel or reduce the taxes or reject the application.

- (2) In the case of a municipality in which the assessment is made in one year and adopted by the council of the following year as the assessment for such following year the application may be made at any time during such following year, and in the case of any other municipality at any time after the person assessed has received notice of taxes and before the first day of July in the following year, and five days' Time for making application.

notice in writing shall be given to the clerk of the municipality of the application.

Appeal  
under  
clause (d).

- (3) There shall be no appeal from the decision of the court of revision under clauses (a), (b) or (c) but an appeal may be had to the county judge by such person or by the municipality from any decision of the court of revision made under clause (d).

Tenant  
though not  
on roll may  
be required  
to pay part  
of taxes.

- (4) Where any person makes application for the reduction of taxes on a business assessment the court of revision may on notice to such person direct that a proper proportion of the taxes be levied against the tenant or person who occupied the premises and carried on business there in the year in which the assessment was made, for the time during which the said tenant was in occupation, although the name of such tenant or person does not appear on the assessment roll in respect of said premises. In determining the amount payable regard shall be had to the nature of the business carried on.

Rev. Stat.,  
c. 238,  
s. 57, subs. 1,  
amended.

- 2.**—(1) Subsection 1 of section 57 of *The Assessment Act* is amended by striking out the words at the end thereof “and the owner of the land shall have the right to appeal, as provided in section 121.”

S. 57, subs. 2,  
amended.

- (2) Subsection 2 of the said section 57 is amended by striking out the words at the end thereof “and the party so assessed and taxed shall have the right of appeal as provided in section 121.”

S. 57,  
amended.

- (3) The said section 57 is further amended by adding the following subsection:

Notice  
to person  
taxed and  
right of  
appeal.

- (3) Where the clerk performs any of the duties required by this section he shall forthwith thereafter deliver to or send by registered letter post to the person so taxed a notice setting out the amount of the assessment and of the taxes entered on the roll, and such person shall have the right to appeal within ten days thereafter to the court of revision, and an appeal may also be had to the county judge by such person or by the municipality from any decision of the court of revision.



Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Assessment Act.

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*1st Reading,*

February 6th, 1929.

*2nd Reading,*

*3rd Reading,*

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MR. FINLAYSON.

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T O R O N T O :

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# BILL

## The Pulpwood Conservation Act, 1929

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Pulpwood Supply Act, 1929*. <sup>Short title.</sup>

2. In this Act,— <sup>Inter-pretation</sup>

(a) "Company" shall mean and include a company, <sup>"Company."</sup> operating in Ontario in connection with the holding of pulpwood or pulp lands, or the manufacture of such wood into pulpwood, paper of any kind or other product of pulpwood, and a firm, partnership or individual carrying on such work in Ontario;

(b) "Department" shall mean Department of Lands <sup>"Depart-ment."</sup> and Forests;

(c) "Minister" shall mean Minister of Lands and Forests; <sup>"Minister."</sup>

(d) "Pulpwood" shall mean and include any form of <sup>"Pulpwood."</sup> timber of any kind or variety capable of being used in the manufacture or production of pulp or paper of any kind whatsoever.

3. Every company shall on or before the 1st day of Sep- <sup>Return to be made in 1929.</sup> tember, 1929, file with the Department a statement, in duplicate, executed under the seal of such company and signed by the executive officers thereof and by the forester of such company, (if any), and such statement shall contain the following information, namely,—

1. The full name of the company, and the names of all <sup>Particulars in return.</sup> subsidiary companies, or holding companies, carrying on business in connection with the said company.
2. The date of incorporation of the company and a statement of the authority under which said company was incorporated.

3. The names of all companies, associations, syndicates or other organizations taken over by the said company or from whom the said company has purchased or acquired pulp lands or pulpwood in the Province of Ontario.
4. The authorized capital of the company.
5. The paid up capital of the company.
6. Particulars of all bond issues or debentures of the company.
7. Particulars and a description of all leases, areas, concessions, grants, or lands held under contract, containing pulpwood in Ontario, either freehold or leasehold, or held under any license or contract from the Crown in the right of Ontario.
8. Particulars of any other lands in Ontario containing pulpwood held in fee or under lease or contract from anybody other than the Crown in the right of Ontario.
9. Particulars of the various plants of the company in Ontario showing the installed capacity of such plants.
10. Particulars of the quantity of pulpwood used in each of the years 1917 to 1928 inclusive in each of the plants of the company in Ontario.
11. Statement and particulars of the amount of pulpwood cut by the company from its various holdings in Ontario during the said years 1917 to 1928 inclusive.
12. Statement and particulars of the amount of pulpwood purchased by the company from settlers in Ontario in the said years 1917 to 1928 inclusive.
13. Statement and particulars of the amount of pulpwood purchased by the company from sources outside Ontario and brought into Ontario during the said years 1917 to 1928 inclusive.
14. Statement and particulars of the kinds and quantities of pulpwood, pulp, paper or products from pulpwood exported with the names of the countries and persons to which such kind and quantities were exported during the years 1917 to 1928 inclusive.

15. A map showing all the areas or holdings of the company in Ontario and showing thereon the cut over areas and the areas containing standing timber and the nature, character and extent thereof.
16. A statement with particulars of the amount of pulp, paper craft or other commercial products from pulpwood of various kinds produced from the various plants of the company in Ontario in the said years 1917 to 1928 inclusive.
17. An estimate of the quantity of pulpwood showing in detail the various kinds thereof owned by the company in Ontario, showing the location of such holdings and certified to by a forester.
18. A plan or scheme in detail prepared by the said company providing for the placing of its supply of pulpwood on a sustained yield basis so that the consumption of pulpwood shall not exceed the production of pulpwood in any year, and with the intention that the said industry may be placed on a permanent basis with respect to raw material. The said plan may provide for a period of five years in which the plan or scheme is to become effective and shall set out the details of such plan in full and the source and means of supply and the annual consumption to be provided for the company. The said plan shall also show the rate of natural growth on which it is based and the provision it is proposed to make for further supplies so that the company's supply of raw material may be maintained on such sustained yield basis.

4. The Minister may extend the time for filing such statement for any company or companies upon receipt of an application therefor, for such period of time as in his opinion may be necessary and proper under the circumstances. Extending time for filing return.

5. On receipt of the said statements, the Department shall study the same individually and collectively and may submit the same to the Forestry Board for approval or recommendation, and, if necessary, shall hold conferences with the officers and foresters of the companies from time to time, and shall devise some general plan to place the pulpwood supply of Ontario on a sustained yield basis so that the industry may have an assured source of supply. If it is considered necessary the Province may be divided into sections for the purpose of working out the said general plan or a plan for any individual company. The said plan or plans may be brought Plan for sustained yield of pulpwood in Ontario.

into force at one time or at different times as may be found necessary. Upon the completion of a general plan for the Province or upon the completion of a plan for any area or any individual company, the same may be authorized by an order-in-council and upon being so authorized shall have the same effect as if it were set out in detail in this Act.

Authority of  
Minister as  
to control of  
cutting.

**6.** Notwithstanding anything contained in any general or special Act or in any license, lease, concession, grant, agreement or other document under which the right to cut pulpwood is claimed or exercised the Minister shall have authority to fix the size and kind of trees and timber which may be cut by such company, and such authority may be exercised in such part of Ontario and for such time and on such terms and conditions as the Minister may direct and any directions so given may in like manner be varied from time to time. The Minister shall have the further right and authority to direct and control the location, sequence or extent of cuttings and to limit the cutting from year to year, by any company, for the purpose of conserving the source of supply and placing Ontario on a sustained yield basis.

Nurseries.

**7.** Upon the recommendation of the Minister the Lieutenant-Governor in Council may authorize the establishment of a nursery or nurseries for the growing and production of spruce and other pulpwoods, and for the supplying of the same to companies for planting for the purpose of increasing the pulpwood supply of Ontario, and nursery pulpwood stock may be supplied to the companies on such terms and conditions as may be fixed by order-in-council from time to time.

Planting  
nursery  
pulpwood  
stock.

**8.** The order-in-council may set aside for any company any townships, berths, or locations suitable and proper for the planting of nursery pulpwood stock and may require the company to plant a certain quantity of stock each and every year and may contain provision for the proper planting and care thereof by the company, and such further provisions as may be necessary so that the company may be entitled to the growth thereof as additions to their supply of raw material, upon such terms and conditions as may be set out in the order-in-council.

Provision  
for cost of  
work.

**9.** The order-in-council may provide for a source of revenue for the purpose of carrying out the provisions of this Act and placing the supply of pulpwood on a sustained yield basis and an addition may be made to the dues payable by all companies in Ontario of a sum not exceeding twenty-five cents per cord on such quantities as are cut and returned by the company under the terms of its contract with the Crown,

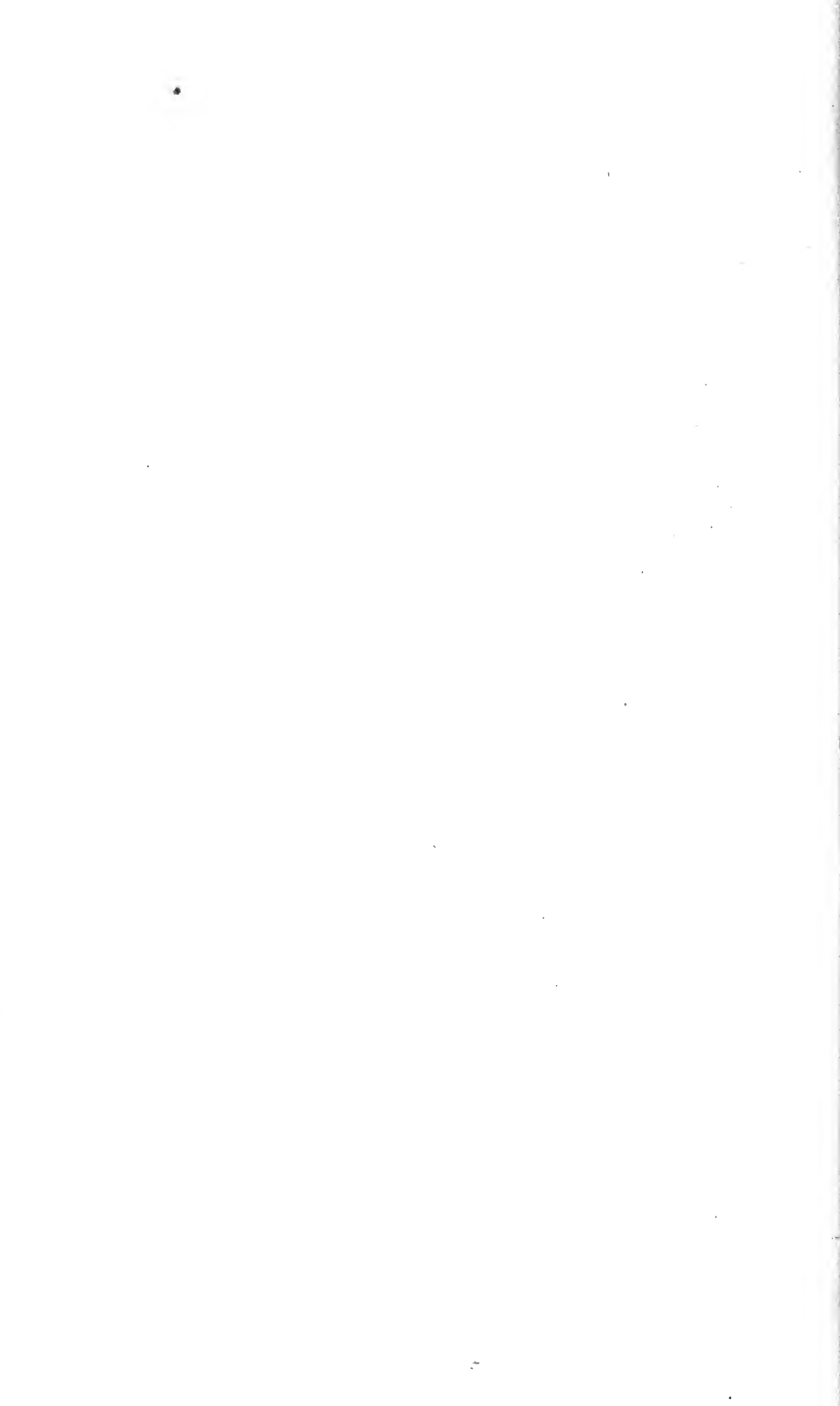
for the general expenses of the Department in the conservation of pulpwood and the carrying out of this Act.

**10.** Every company shall on or before the 1st day of March in each year file with the Department a statement in the form prescribed by the Department showing the operations of the company for the previous calendar year and containing such information, particulars and details as may be prescribed and required by the Department from time to time. <sup>Annual return of company.</sup>

**11.** Upon the recommendation of the Minister the Lieutenant-Governor in council may make such regulations as may be deemed necessary to carry out the true intent and purpose of this Act. <sup>Regulations.</sup>

**12.** Every company guilty of any breach of the provisions of this Act, or of the regulations made thereunder, or of any direction or order of the Minister shall incur a penalty or not less than one hundred dollars per day for each and every day of such neglect, default or breach, to be recoverable by the Minister by action, being in his name of office in any court of competent jurisdiction, and, in addition, any breach of this Act shall be regarded as a breach of the original contract or lease under which the company is carrying on operations, and the said companies shall, in addition, be liable for all the penalties contained and set out in such contract or agreement. <sup>Penalty.</sup>

**13.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>





3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

The Pulpwood Conservation Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. FINLAYSON.

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TORONTO:

Printed by



# BILL

## The Pulpwood Conservation Act, 1929.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Pulpwood Conservation Act, 1929.* Short title.

2. In this Act,—

Inter-pretation

- (a) "Company" shall mean and include a company, "Company." operating in Ontario in connection with the holding of pulpwood or pulp lands, or the manufacture of such wood into pulpwood, paper of any kind or other product of pulpwood, and a firm, partnership or individual carrying on such work in Ontario;
- (b) "Department" shall mean Department of Lands "Depart-ment." and Forests;
- (c) "Minister" shall mean Minister of Lands and Forests; "Minister."
- (d) "Pulpwood" shall mean and include any form of "Pulpwood." timber of any kind or variety capable of being used in the manufacture or production of pulp or paper of any kind whatsoever.

3. Every company shall on or before the 1st day of Sep- Return to be made in 1929. tember, 1929, file with the Department a statement, in duplicate, executed under the seal of such company and signed by the executive officers thereof and by the forester of such company, (if any), and such statement shall contain the following information, namely,—

1. The full name of the company, and the names of all Particulars in return. subsidiary companies, or holding companies, carrying on business in connection with the said company.
2. The date of incorporation of the company and a statement of the authority under which said company was incorporated.

3. The names of all companies, associations, syndicates or other organizations taken over by the said company or from whom the said company has purchased or acquired pulp lands or pulpwood in the Province of Ontario.
4. The authorized capital of the company.
5. The paid up capital of the company.
6. Particulars of all bond issues or debentures of the company.
7. Particulars and a description of all leases, areas, concessions, grants, or lands held under contract, containing pulpwood in Ontario, either freehold or leasehold, or held under any license or contract from the Crown in the right of Ontario.
8. Particulars of any other lands in Ontario containing pulpwood held in fee or under lease or contract from anybody other than the Crown in the right of Ontario.
9. Particulars of the various plants of the company in Ontario showing the installed capacity of such plants.
10. Particulars of the quantity of pulpwood used in each of the years 1919 to 1928 inclusive in each of the plants of the company in Ontario.
11. Statement and particulars of the amount of pulpwood cut by the company from its various holdings in Ontario during the said years 1919 to 1928 inclusive.
12. Statement and particulars of the amount of pulpwood purchased by the company from settlers in Ontario in the said years 1919 to 1928 inclusive.
13. Statement and particulars of the amount of pulpwood purchased by the company from sources outside Ontario and brought into Ontario during the said years 1919 to 1928 inclusive.
14. Statement and particulars of the kinds and quantities of pulpwood, pulp, paper or products from pulpwood exported with the names of the countries to which such kind and quantities were exported during the years 1919 to 1928 inclusive.

15. A statement with particulars of the amount of pulp, paper craft or other commercial products from pulpwood of various kinds produced from the various plants of the company in Ontario in the said years 1919 to 1928 inclusive.
16. A map showing all the areas or holdings of the company in Ontario and showing thereon the cut over areas and the areas containing standing timber and the nature, character and extent thereof.
17. An estimate of the quantity of pulpwood showing in detail the various kinds thereof owned by the company in Ontario, showing the location of such holdings and certified to by a forester.
18. A plan or scheme in detail prepared by the said company providing for the placing of its supply of pulpwood on a sustained yield basis so that the consumption of pulpwood shall not exceed the production of pulpwood in any year, and with the intention that the said industry may be placed on a permanent basis with respect to raw material. The said plan may provide for a period of five years in which the plan or scheme is to become effective and shall set out the details of such plan in full and the source and means of supply and the annual consumption to be provided for the company. The said plan shall also show the rate of natural growth on which it is based and the provision it is proposed to make for further supplies so that the company's supply of raw material may be maintained on such sustained yield basis.

4. The Minister may extend the time for filing such statement for any company or companies upon receipt of an application therefor, for such period of time as in his opinion may be necessary and proper under the circumstances, *but such extension shall not extend beyond the 1st of September, 1931.* Extending time for filing return.

5. On receipt of the said statements, the Department shall study the same individually and collectively and may submit the same to the Forestry Board for approval or recommendation, and, if necessary, shall hold conferences with the officers and foresters of the companies *and with the officers and foresters of other provinces* from time to time, and shall devise some general plan to place the pulpwood supply of Ontario on a sustained yield basis so that the industry may have an assured source of supply. If it is considered necessary the Province Plan for sustained yield of pulpwood in Ontario.

may be divided into sections for the purpose of working out the said general plan or a plan for any individual company. The said plan or plans may be brought into force at one time or at different times as may be found necessary. *The said plan or plans may provide for periodic revision according to the conditions existing from time to time.* Upon the completion of a general plan for the Province or upon the completion of a plan for any area or any individual company, the same may be authorized by an order-in-council and upon being so authorized shall have the same effect as if it were set out in detail in this Act.

Authority of  
Minister as  
to control of  
cutting.

**6.** Notwithstanding anything contained in any general or special Act or in any license, lease, concession, grant, agreement or other document under which the right to cut pulpwood is claimed or exercised the Minister shall have authority to fix the size and kind of trees and timber which may be cut by such company, and such authority may be exercised in such part of Ontario and for such time and on such terms and conditions as the Minister may direct and any directions so given may in like manner be varied from time to time. Where no plan has been authorized, or where in the opinion of the Minister an authorized plan is not being properly carried out, the Minister shall have the further right and authority to direct and control the location, sequence or extent of cuttings and to limit the cutting from year to year, by any company, for the purpose of conserving the source of supply and placing Ontario on a sustained yield basis.

Nurseries.

**7.** Upon the recommendation of the Minister the Lieutenant-Governor in Council may authorize the establishment of a nursery or nurseries for the growing and production of spruce and other pulpwoods, and for the supplying of the same to companies for planting for the purpose of increasing the pulpwood supply of Ontario, and nursery pulpwood stock may be supplied to the companies on such terms and conditions as may be fixed by order-in-council from time to time.

Planting  
nursery  
pulpwood  
stock.

**8.** For the purpose of carrying out any authorized working plan the Lieutenant-Governor in Council may set aside for any company any townships, berths, or locations suitable and proper for the planting of nursery pulpwood stock and may require the company to plant a certain quantity of stock each and every year and may contain provision for the proper planting and care thereof by the company, and such further provisions as may be necessary so that the company may be entitled to the growth thereof as additions to their supply of raw material, upon such terms and conditions as may be set out in the order-in-council.

**9.** *The Lieutenant-Governor in Council may by order-in-council provide for a source of revenue for the purpose of carrying out the provisions of this Act and placing the supply of pulpwood on a sustained yield basis and an addition may be made to the dues payable by all companies in Ontario of a sum not exceeding twenty-five cents per cord on such quantities as are cut and returned by the company under the terms of its contract with the Crown, for the general expenses of the Department in the conservation of pulpwood and the carrying out of this Act.*

Provision  
for cost of  
work.

**10.** Every company shall on or before the 1st day of *August* in each year file with the Department a statement in the form prescribed by the Department showing the operations of the company for the previous year *expiring on the 1st of May* and containing such information, particulars and details as may be prescribed and required by the Department from time to time.

Annual  
return of  
company.

**11.** Upon the recommendation of the Minister the Lieutenant-Governor in council may make such regulations as may be deemed necessary to carry out the true intent and purpose of this Act.

Regulations.

**12.** Every company guilty of any breach of the provisions of this Act, or of the regulations made thereunder, or of any direction or order of the Minister shall incur a penalty or not less than one hundred dollars per day for each and every day of such neglect, default or breach, to be recoverable by the Minister by action, suing in his name of office in any court of competent jurisdiction, and, in addition, any breach of this Act shall be regarded as a breach of the original contract or lease under which the company is carrying on operations, and the said companies shall, in addition, be liable for all the penalties contained and set out in such contract or agreement.

Penalty.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.





3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

The Pulpwood Conservation Act, 1929.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 25th, 1929.

*3rd Reading*

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MR. FINLAYSON.

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*(Reprinted as amended in Committee of the  
Whole House.)*

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TORONTO:

Printed by



# BILL

## The Pulpwood Conservation Act, 1929.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Pulpwood Conservation Act, 1929.* Short title.

2. In this Act,—

Inter-pretation

- (a) "Company" shall mean and include a company, "Company." operating in Ontario in connection with the holding of pulpwood or pulp lands, or the manufacture of such wood into pulpwood, paper of any kind or other product of pulpwood, and a firm, partnership or individual carrying on such work in Ontario;
- (b) "Department" shall mean Department of Lands "Depart-ment." and Forests;
- (c) "Minister" shall mean Minister of Lands and Forests; "Minister."
- (d) "Pulpwood" shall mean and include any form of "Pulpwood." timber of any kind or variety capable of being used in the manufacture or production of pulp or paper of any kind whatsoever.

3. Every company shall on or before the 1st day of Sep-Return to be made in 1929.tember, 1929, file with the Department a statement, in duplicate, executed under the seal of such company and signed by the executive officers thereof and by the forester of such company, (if any), and such statement shall contain the following information, namely,—

- 1. The full name of the company, and the names of all Particulars in return. subsidiary companies, or holding companies, carrying on business in connection with the said company.
- 2. The date of incorporation of the company and a statement of the authority under which said company was incorporated.

3. The names of all companies, associations, syndicates or other organizations taken over by the said company or from whom the said company has purchased or acquired pulp lands or pulpwood in the Province of Ontario.
4. The authorized capital of the company.
5. The paid up capital of the company.
6. Particulars of all bond issues or debentures of the company.
7. Particulars and a description of all leases, areas, concessions, grants, or lands held under contract, containing pulpwood in Ontario, either freehold or leasehold, or held under any license or contract from the Crown in the right of Ontario.
8. Particulars of any other lands in Ontario containing pulpwood held in fee or under lease or contract from anybody other than the Crown in the right of Ontario.
9. Particulars of the various plants of the company in Ontario showing the installed capacity of such plants.
10. Particulars of the quantity of pulpwood used in each of the years 1919 to 1928 inclusive in each of the plants of the company in Ontario.
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  17. An estimate of the quantity of pulpwood showing in detail the various kinds thereof owned by the company in Ontario, showing the location of such holdings and certified to by a forester.
  18. A plan or scheme in detail prepared by the said company providing for the placing of its supply of pulpwood on a sustained yield basis so that the consumption of pulpwood shall not exceed the production of pulpwood in any year, and with the intention that the said industry may be placed on a permanent basis with respect to raw material. The said plan may provide for a period of five years in which the plan or scheme is to become effective and shall set out the details of such plan in full and the source and means of supply and the annual consumption to be provided for the company. The said plan shall also show the rate of natural growth on which it is based and the provision it is proposed to make for further supplies so that the company's supply of raw material may be maintained on such sustained yield basis.
4. The Minister may extend the time for filing such statement for any company or companies upon receipt of an application therefor, for such period of time as in his opinion may be necessary and proper under the circumstances, but such extension shall not extend beyond the 1st of September, 1931.
5. On receipt of the said statements, the Department shall study the same individually and collectively and may submit the same to the Forestry Board for approval or recommendation, and, if necessary, shall hold conferences with the officers and foresters of the companies and with the officers and foresters of other provinces from time to time, and shall devise some general plan to place the pulpwood supply of Ontario on a sustained yield basis so that the industry may have an assured source of supply. If it is considered necessary the Province

Extending  
time for  
filing return.

Plan for  
sustained  
yield of pulp-  
wood in  
Ontario.

may be divided into sections for the purpose of working out the said general plan or a plan for any individual company. The said plan or plans may be brought into force at one time or at different times as may be found necessary. The said plan or plans may provide for periodic revision according to the conditions existing from time to time. Upon the completion of a general plan for the Province or upon the completion of a plan for any area or any individual company, the same may be authorized by an order-in-council and upon being so authorized shall have the same effect as if it were set out in detail in this Act.

Authority of  
Minister as  
to control of  
cutting.

**6.** Notwithstanding anything contained in any general or special Act or in any license, lease, concession, grant, agreement or other document under which the right to cut pulpwood is claimed or exercised the Minister shall have authority to fix the size and kind of trees and timber which may be cut by such company, and such authority may be exercised in such part of Ontario and for such time and on such terms and conditions as the Minister may direct and any directions so given may in like manner be varied from time to time. Where no plan has been authorized, or where in the opinion of the Minister an authorized plan is not being properly carried out, the Minister shall have the further right and authority to direct and control the location, sequence or extent of cuttings and to limit the cutting from year to year, by any company, for the purpose of conserving the source of supply and placing Ontario on a sustained yield basis.

Nurseries.

**7.** Upon the recommendation of the Minister the Lieutenant-Governor in Council may authorize the establishment of a nursery or nurseries for the growing and production of spruce and other pulpwoods, and for the supplying of the same to companies for planting for the purpose of increasing the pulpwood supply of Ontario, and nursery pulpwood stock may be supplied to the companies on such terms and conditions as may be fixed by order-in-council from time to time.

Planting  
nursery  
pulpwood  
stock.

**8.** For the purpose of carrying out any authorized working plan the Lieutenant-Governor in Council may set aside for any company any townships, berths, or locations suitable and proper for the planting of nursery pulpwood stock and may require the company to plant a certain quantity of stock each and every year and may contain provision for the proper planting and care thereof by the company, and such further provisions as may be necessary so that the company may be entitled to the growth thereof as additions to their supply of raw material, upon such terms and conditions as may be set out in the order-in-council.

**9.** The Lieutenant-Governor in Council may by order-in-council provide for a source of revenue for the purpose of carrying out the provisions of this Act and placing the supply of pulpwood on a sustained yield basis and an addition may be made to the dues payable by all companies in Ontario of a sum not exceeding twenty-five cents per cord on such quantities as are cut and returned by the company under the terms of its contract with the Crown, for the general expenses of the Department in the conservation of pulpwood and the carrying out of this Act. Provision for cost of work.

**10.** Every company shall on or before the 1st day of *August* in each year file with the Department a statement in the form prescribed by the Department showing the operations of the company for the previous year expiring on the 1st of *May* and containing such information, particulars and details as may be prescribed and required by the Department from time to time. Annual return of company.

**11.** Upon the recommendation of the Minister the Lieutenant-Governor in council may make such regulations as may be deemed necessary to carry out the true intent and purpose of this Act. Regulations.

**12.** Every company guilty of any breach of the provisions of this Act, or of the regulations made thereunder, or of any direction or order of the Minister shall incur a penalty or not less than one hundred dollars per day for each and every day of such neglect, default or breach, to be recoverable by the Minister by action, suing in his name of office in any court of competent jurisdiction, and, in addition, any breach of this Act shall be regarded as a breach of the original contract or lease under which the company is carrying on operations, and the said companies shall, in addition, be liable for all the penalties contained and set out in such contract or agreement. Penalty.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.





Ontario.  
19 George V, 1929.

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BILL.

The Pulpwood Conservation Act, 1929.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 25th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. FINLAYSON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## The Provincial Forests Act, 1929.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Provincial Forests Act, 1929.* Short title.

**2.** The several tracts of land described in Schedule "A" to this Act are hereby declared to be and are set apart as provincial forests under the names set out in the said schedule. Declaration of lands set apart.

**3.** The Lieutenant-Governor in Council may by proclamation establish and set apart any other portions of the public domain as provincial forests, and may add to any provincial forests hereby or hereafter established. Power to set apart provincial forests.

**4.** From and after the date hereof as to the provincial forests set out in the schedule hereto, and from and after the date of any proclamations issued under the authority of this Act, no land within any such forests shall be located, sold leased or otherwise disposed of for the purposes of agricultural settlement. Lands reserved, not to be located, sold, etcetera.

**5.**—(1) Every provincial forest shall be under the control and management of the Minister of Lands and Forests, and the Lieutenant-Governor in Council may make regulations for its protection, care and management. Control and management.

(2) Any regulations passed under the authority of this Act shall be published for four consecutive weeks in the *Ontario Gazette*, and shall immediately thereafter have the force of law and shall be laid before the Assembly within the first two weeks of the Session next after the making thereof. Publication of regulations.

**6.** The Lieutenant-Governor in Council may appoint a forester in charge of provincial forests, whose duty it shall be under the Minister of Lands and Forests to have charge, Appointment of provincial forest officer.

control and management of the provincial forests hereby established and any forests hereafter established, or any additions thereto, and it shall be the duty of such officer to preserve the said forests according to the best forestry practice, and to gradually bring them under a sustained yield basis, and generally to have charge, control and management of the said provincial forests.

Sale  
of timber,—  
provincial  
forests.

**7.** Where any timber in any provincial forest or any part thereof has been damaged by fire or has attained commercial maturity the same may be offered for sale, subject to such regulations as may be made by the Lieutenant-Governor in Council.

Lieutenant-  
Governor  
may with-  
draw lands  
for townsite  
purposes.

**8.** Whenever it is deemed expedient to establish a site for a town or to use land for any purpose other than agricultural settlement within the limits of a provincial forest the Lieutenant-Governor in Council may withdraw such lands as are necessary for that purpose from such provincial forest, and thereafter this Act shall no longer apply to such lands.

Lieutenant-  
Governor  
may make  
order for  
shooting,  
game or  
fishery  
purposes.

**9.** On the recommendation of the Minister the Lieutenant-Governor in Council may make such order as may be necessary or proper from time to time for the use of any one or more of the provincial forests, or any part or parts thereof, for shooting, fishing, camping, recreational, instructional or other purposes not inconsistent with the growth and development of timber.

Surrender of  
cut-over  
timber land.

**10.**—(1) The Minister, for the purpose of creating a provincial forest, may arrange with any holder of a timber limit which has been cut over and upon which forest growth exists, or which the Minister is satisfied will generally reproduce timber, for the surrender of such limit or any part thereof, upon such terms and conditions as to the remission of any timber dues or ground rent or any part thereof which may be due or owing to the Crown in respect thereof, and upon such other conditions as may be set forth in the report of the Minister and approved by the Lieutenant-Governor in Council.

Order-in-  
council and  
report for  
Assembly.

(2) The order-in-council and the report of the Minister shall be laid before the Assembly within the first two weeks of the Session next after the date of the order-in-council.

Penalty.

**11.** For a violation of any provision of this Act or of any regulation made thereunder the offender, in addition to any other liability, shall incur a penalty of not more than \$50 recoverable under *The Summary Convictions Act*, and shall also be liable for all damages resulting from any such violation to be recoverable in any court of competent jurisdiction.

Rev. Stat.,  
c. 121.

**12.** *The Forest Reserves Act* is hereby repealed.

Rev. Stat.,  
c. 40,  
repealed.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

Ontario.  
19 George V, 1929.

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BILL.

The Provincial Forests Act, 1929.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. FINLAYSON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty

# BILL

## The Provincial Forests Act, 1929.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Provincial Forests Act, 1929.* Short title.
2. The several tracts of land described in Schedule "A" to this Act are hereby declared to be and are set apart as provincial forests under the names set out in the said schedule. Declaration of lands set apart.
3. The Lieutenant-Governor in Council may by proclamation establish and set apart any other portions of the public domain as provincial forests, and may add to any provincial forests hereby or hereafter established. Power to set apart provincial forests.
4. From and after the date hereof as to the provincial forests set out in the schedule hereto, and from and after the date of any proclamations issued under the authority of this Act, no land within any such forests shall be located, sold leased or otherwise disposed of for the purposes of agricultural settlement. Lands reserved, not to be located, sold, etcetera.
- 5.—(1) Every provincial forest shall be under the control and management of the Minister of Lands and Forests, and the Lieutenant-Governor in Council may make regulations for its protection, care and management. Control and management.
- (2) Any regulations passed under the authority of this Act shall be published for four consecutive weeks in the *Ontario Gazette*, and shall immediately thereafter have the force of law and shall be laid before the Assembly within the first two weeks of the Session next after the making thereof. Publication of regulations.
6. The Lieutenant-Governor in Council may appoint a forester in charge of provincial forests, whose duty it shall be under the Minister of Lands and Forests to carry out any Appointment of provincial forest officer.

*regulations passed under this Act and to have charge, control and management of the provincial forests hereby established and any forests hereafter established, or any additions thereto, and it shall be the duty of such officer to preserve the said forests according to the best forestry practice, and to gradually bring them under a sustained yield basis, and generally to have charge, control and management of the said provincial forests.*

Sale of timber,—  
provincial  
forests.

**7.** Where any timber in any provincial forest or any part thereof has been damaged by fire or has attained commercial maturity the same may be offered for sale, subject to such regulations as may be made by the Lieutenant-Governor in Council.

Lieutenant-Governor may withdraw lands for townsite purposes.

**8.** Whenever it is deemed expedient to establish a site for a town or to use land for any purpose other than agricultural settlement within the limits of a provincial forest the Lieutenant-Governor in Council may withdraw such lands as are necessary for that purpose from such provincial forest, and thereafter this Act shall no longer apply to such lands.

Lieutenant-Governor may make order for shooting, game or fishery purposes.

**9.** On the recommendation of the Minister the Lieutenant-Governor in Council may make such order as may be necessary or proper from time to time for the use of any one or more of the provincial forests, or any part or parts thereof, for shooting, fishing, camping, recreational *or* instructional *purposes* not inconsistent with the growth and development of timber.

Surrender of cut-over timber land.

**10.**—(1) The Minister, for the purpose of creating a provincial forest, may arrange with any holder of a timber limit which has been cut over and upon which forest growth exists, or which the Minister is satisfied will generally reproduce timber, for the surrender of such limit or any part thereof, upon such terms and conditions as to the remission of any timber dues or ground rent or any part thereof which may be due or owing to the Crown in respect thereof, and upon such other conditions as may be set forth in the report of the Minister and approved by the Lieutenant-Governor in Council.

Order-in-council and report for Assembly.

(2) The order-in-council and the report of the Minister shall be laid before the Assembly within the first two weeks of the Session next after the date of the order-in-council.

Penalty.

**11.** For a violation of any provision of this Act or of any regulation made thereunder the offender, in addition to any other liability, shall incur a penalty of not more than \$50 recoverable under *The Summary Convictions Act*, and shall

Rev. Stat.,  
c. 121.

also be liable for all damages resulting from any such violation to be recoverable in any court of competent jurisdiction.

**12.** *The Forest Reserves Act* is hereby repealed.

Rev. Stat.,  
c. 40,  
repealed.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.



## SCHEDULE "A"

The lands hereinafter described shall constitute and be known as Provincial Forests.

## EASTERN PROVINCIAL FOREST

The area known as the Eastern Forest Reserve comprising 100 square miles, more or less, with the following additions thereto, namely: Timber Licenses (1927-1928) numbers 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 158, 159, comprising  $225\frac{3}{4}$  square miles more or less.

## TIMAGAMI PROVINCIAL FOREST

That area known as the Timagami Forest Reserve, comprising 5,830 square miles more or less with the following addition thereto, namely: Timber License (1927-1928) number 163, comprising 100 square miles more or less.

## MISSISSAGI PROVINCIAL FOREST

That area known as the Mississagi Forest Reserve, comprising 4,896 square miles more or less with the following additions thereto, namely: Timber Licenses, numbers 408, 409, 414, 415, 416, 417, 418, 419, 420, 421, 423, comprising 366 square miles more or less.

## GEORGIAN BAY PROVINCIAL FOREST

The land vested in the Crown in the following townships—Mowat, Blair, Wallbridge, Brown, Harrison, Burton, Shawanaga and Burpee, comprising 677 square miles more or less.

## SIBLEY PROVINCIAL FOREST

That area known as the Sibley Forest Reserve comprising 80 square miles more or less.

## NIPIGON PROVINCIAL FOREST

That area known as the Nipigon Forest Reserve, comprising 7,100 square miles more or less.

## WANAPITEI PROVINCIAL FOREST

All lands vested in the Crown in Norman, Aylmer and Parkin Townships and that portion of Rathbun Township contained in Lots Eleven to Twenty-four in Concessions Four, Five and Six, inclusive; comprising 70 square miles more or less.

## KAWARTHA PROVINCIAL FOREST

The portions of the Townships of Harvey, Burleigh and Methuen now vested in the Crown comprising 162 square miles more or less.











19th Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

The Provincial Forests Act, 1929.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 18th, 1929.

*3rd Reading*

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MR. FINLAYSON.

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*(Reprinted as amended in Committee of the  
Whole House.)*

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## The Provincial Forests Act, 1929.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Provincial Forests Act, 1929.* Short title.

**2.** The several tracts of land described in Schedule "A" to this Act are hereby declared to be and are set apart as provincial forests under the names set out in the said schedule. Declaration of lands set apart.

**3.** The Lieutenant-Governor in Council may by proclamation establish and set apart any other portions of the public domain as provincial forests, and may add to any provincial forests hereby or hereafter established. Power to set apart provincial forests.

**4.** From and after the date hereof as to the provincial forests set out in the schedule hereto, and from and after the date of any proclamations issued under the authority of this Act, no land within any such forests shall be located, sold leased or otherwise disposed of for the purposes of agricultural settlement. Lands reserved, not to be located, sold, etcetera.

**5.—(1)** Every provincial forest shall be under the control and management of the Minister of Lands and Forests, and the Lieutenant-Governor in Council may make regulations for its protection, care and management. Control and management.

**(2)** Any regulations passed under the authority of this Act shall be published for four consecutive weeks in the *Ontario Gazette*, and shall immediately thereafter have the force of law and shall be laid before the Assembly within the first two weeks of the Session next after the making thereof. Publication of regulations.

**6.** The Lieutenant-Governor in Council may appoint a forester in charge of provincial forests, whose duty it shall be under the Minister of Lands and Forests to carry out any Appointment of provincial forest officer.

regulations passed under this Act and to have charge, control and management of the provincial forests hereby established and any forests hereafter established, or any additions thereto, and it shall be the duty of such officer to preserve the said forests according to the best forestry practice, and to gradually bring them under a sustained yield basis, and generally to have charge, control and management of the said provincial forests.

Sale  
of timber.—  
provincial  
forests.

**7.** Where any timber in any provincial forest or any part thereof has been damaged by fire or has attained commercial maturity the same may be offered for sale, subject to such regulations as may be made by the Lieutenant-Governor in Council.

Lieutenant-  
Governor  
may with-  
draw lands  
for townsite  
purposes.

**8.** Whenever it is deemed expedient to establish a site for a town or to use land for any purpose other than agricultural settlement within the limits of a provincial forest, the Lieutenant-Governor in Council may withdraw such lands as are necessary for that purpose from such provincial forest, and thereafter this Act shall no longer apply to such lands.

Lieutenant-  
Governor  
may make  
order for  
shooting,  
game or  
fishery  
purposes.

**9.** On the recommendation of the Minister the Lieutenant-Governor in Council may make such order as may be necessary or proper from time to time for the use of any one or more of the provincial forests, or any part or parts thereof, for shooting, fishing, camping, recreational or instructional purposes not inconsistent with the growth and development of timber.

Surrender of  
cut-over  
timber land.

**10.**—(1) The Minister, for the purpose of creating a provincial forest, may arrange with any holder of a timber limit which has been cut over and upon which forest growth exists, or which the Minister is satisfied will generally reproduce timber, for the surrender of such limit or any part thereof, upon such terms and conditions as to the remission of any timber dues or ground rent or any part thereof which may be due or owing to the Crown in respect thereof, and upon such other conditions as may be set forth in the report of the Minister and approved by the Lieutenant-Governor in Council.

Order-in-  
council and  
report for  
Assembly.

(2) The order-in-council and the report of the Minister shall be laid before the Assembly within the first two weeks of the Session next after the date of the order-in-council.

Penalty.

**11.** For a violation of any provision of this Act or of any regulation made thereunder the offender, in addition to any other liability, shall incur a penalty of not more than \$50 recoverable under *The Summary Convictions Act*, and shall

Rev. Stat.,  
c. 121.

also be liable for all damages resulting from any such violation to be recoverable in any court of competent jurisdiction.

**12.** *The Forest Reserves Act* is hereby repealed.

Rev. Stat.,  
c. 40,  
repealed.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## SCHEDULE "A"

The lands hereinafter described shall constitute and be known as Provincial Forests.

## EASTERN PROVINCIAL FOREST

The area known as the Eastern Forest Reserve comprising 100 square miles, more or less, with the following additions thereto, namely: Timber Licenses (1927-1928) numbers 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 158, 159, comprising  $225\frac{3}{4}$  square miles more or less.

## TIMAGAMI PROVINCIAL FOREST

That area known as the Timagami Forest Reserve, comprising 5,830 square miles more or less with the following addition thereto, namely: Timber License (1927-1928) number 163, comprising 100 square miles more or less.

## MISSISSAGI PROVINCIAL FOREST

That area known as the Mississagi Forest Reserve, comprising 4,896 square miles more or less with the following additions thereto, namely: Timber Licenses, numbers 408, 409, 414, 415, 416, 417, 418, 419, 420, 421, 423, comprising 366 square miles more or less.

## GEORGIAN BAY PROVINCIAL FOREST

The land vested in the Crown in the following townships—Mowat, Blair, Wallbridge, Brown, Harrison, Burton, Shawanaga and Burpee, comprising 677 square miles more or less.

## SIBLEY PROVINCIAL FOREST

That area known as the Sibley Forest Reserve comprising 80 square miles more or less.

## NIPIGON PROVINCIAL FOREST

That area known as the Nipigon Forest Reserve, comprising 7,100 square miles more or less.

## WANAPITEI PROVINCIAL FOREST

All lands vested in the Crown in Norman, Aylmer and Parkin Townships and that portion of Rathbun Township contained in Lots Eleven to Twenty-four in Concessions Four, Five and Six, inclusive; comprising 70 square miles more or less.

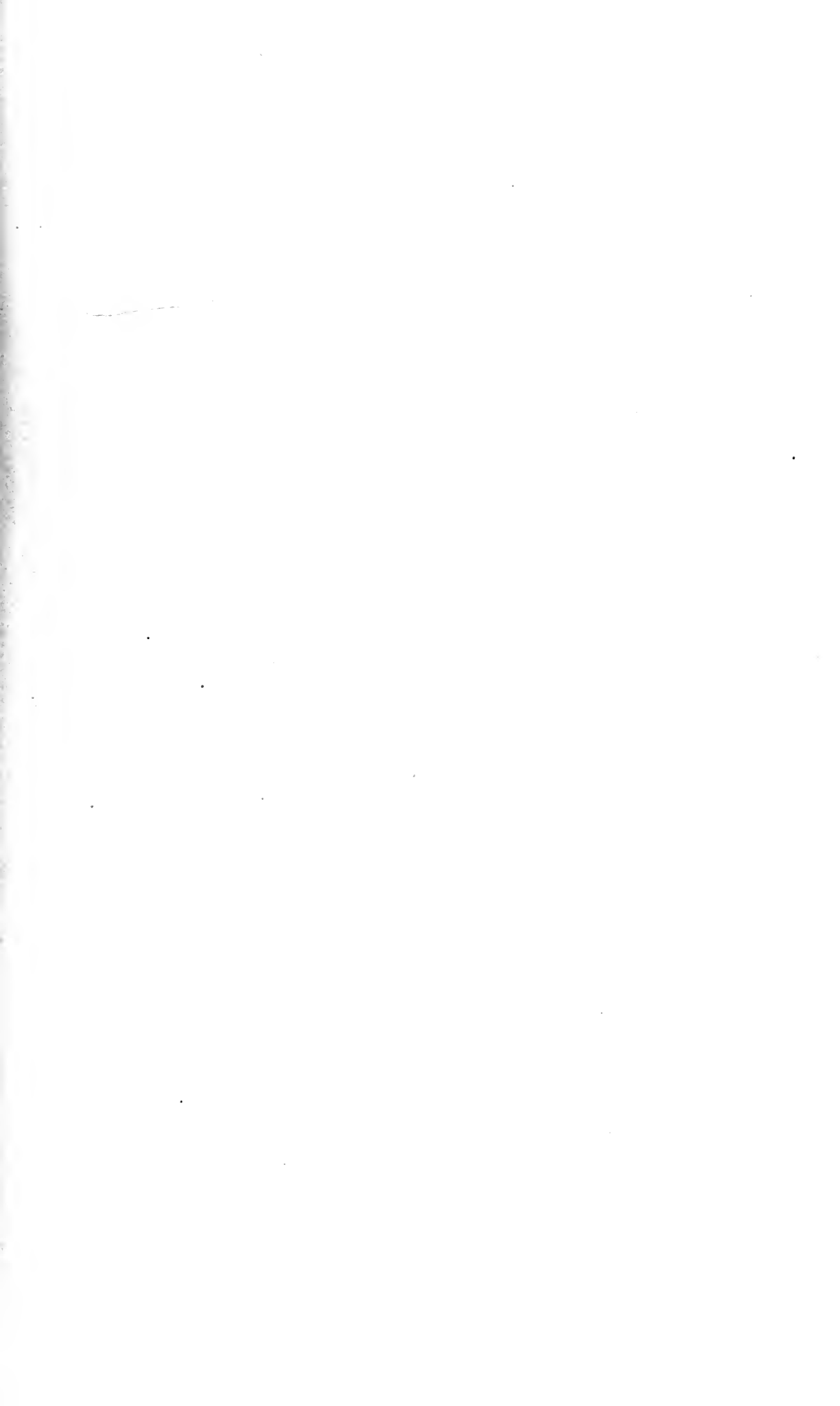
## KAWARTHA PROVINCIAL FOREST

The portions of the Townships of Harvey, Burleigh and Methuen now vested in the Crown comprising 162 square miles more or less.









Ontario.  
19 George V, 1929.

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BILL.

The Provincial Forests Act, 1929.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 18th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. FINLAYSON.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Section 469 of *The Municipal Act* is amended by adding thereto the following subsection,— Rev. Stat.,  
c. 233, s. 469,  
amended.

(12) A corporation shall not be liable for damages under this section unless such damages were sustained within the limits of the highway. Limit  
of liability.

**2.** *The Municipal Act* is amended by adding thereto the following section,— Rev. Stat.,  
c. 233,  
amended.

469a. The provisions of subsections 2 to 8 and of subsection 12 of section 469 shall apply to an action brought against a corporation for damages occasioned by the presence of any nuisance on a highway. Action for  
damages for  
nuisance on  
highway.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Municipal Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. BAIRD.

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TORONTO:

Printed by:

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraphs 5 and 6 of section 429 of *The Municipal Act* are repealed and the following substituted therefor,— Rev. Stat., c. 232, s. 429, pars. 5 and 6, repealed.

*Transient Traders.*

5. For licensing, regulating and governing transient traders and for requiring them to pay a license fee before commencing business,— Licensing, etc., transient traders.

(a) "Transient traders" shall include any person occupying premises for the purpose of offering any goods, wares or merchandise for sale, at retail, for present or future delivery by auction, by sample, or otherwise, who has not resided continuously in the municipality for at least three months next preceding the time of his commencing such business therein and whose name is not entered on the assessment roll in respect of business or income assessment for the current year. "Transient traders," what to include.

(b) The by-law shall not apply to the sale of the stock of an insolvent which is being sold or disposed of within the municipality in which he carried on business and whose name is on the assessment roll as provided in clause a, at the time of the issue of an attachment or of the execution of an assignment or at the time of his becoming bankrupt, within the meaning of *The Bankruptcy Act*, provided that no additional stock or merchandise is added to the inventory other than that included at the time of issue of the attachment or of the execution of the assignment, or to the sale of a business to a *bona fide* purchaser who continues the same. Stock of insolvent.

Fees.

(c) The fee to be paid for the license shall be not less than in a city or town \$250, in a village in unorganized territory \$200, and in other villages and in townships \$100.

Credit of fees on taxes.

(d) The sum paid for a license shall be credited to the person paying it on account of taxes thereafter payable by him.

Penalty for offence under this Act.

(e) Every person not being a holder of a transient trader's license issued under this Act who carries on business in any municipality as a transient trader, shall be guilty of an offence and shall incur a penalty equal to the license fee which he should have paid and in addition thereto the sum of not less than \$10 and not more than \$200.

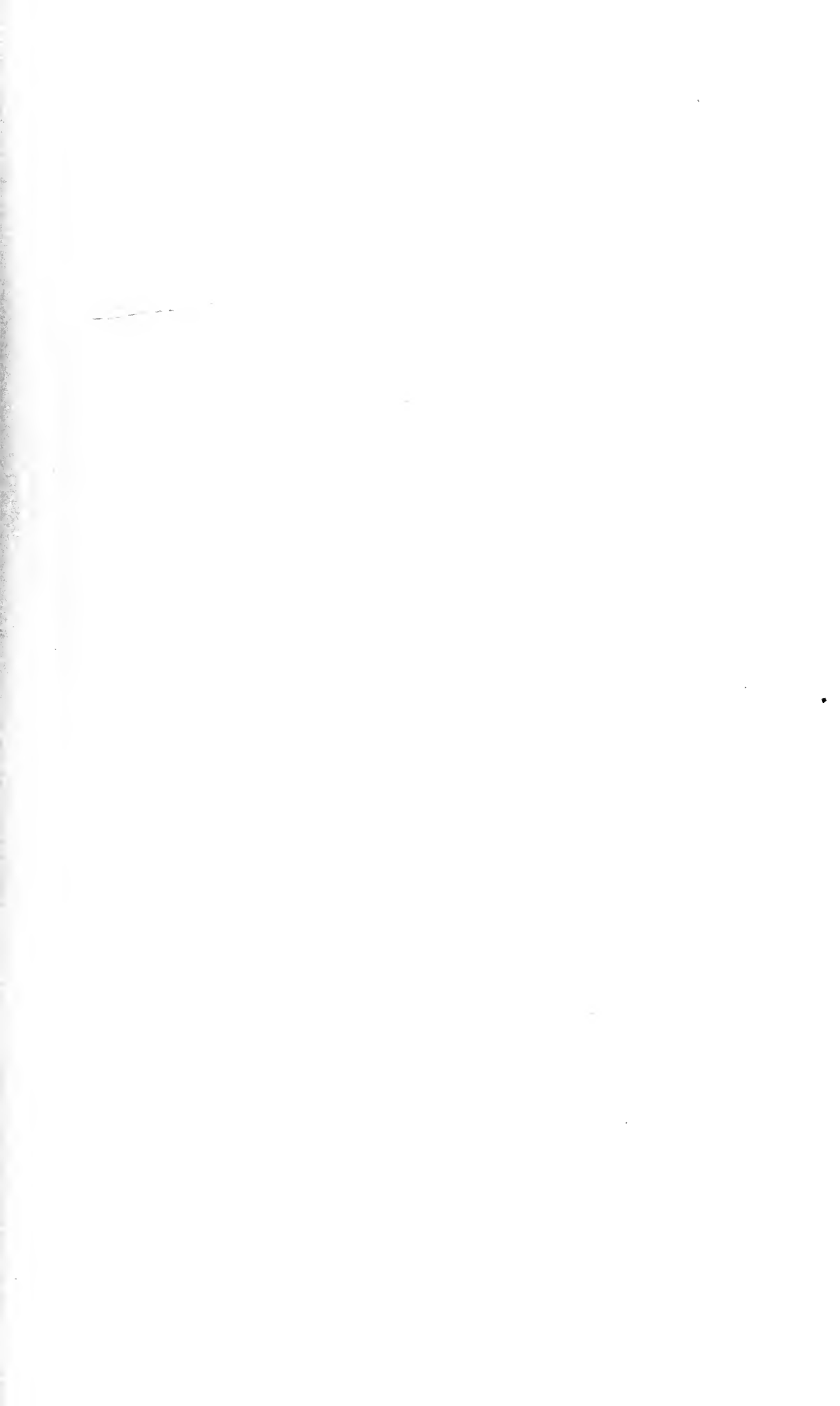
License to be displayed and penalty.

(f) Every person who being the holder of a transient trader's license shall cause the same to be prominently and permanently displayed in his place of business during the full term in which he is carrying on business as a transient trader and any omission so to do shall incur a penalty of not less than \$1 or more than \$10.

Application for license to contain certain information.

(g) Every applicant for a transient trader's license shall as part of his application for such license furnish a statement in writing containing a full description of the goods, wares or merchandise which he proposes to sell or offer for sale under such license.





3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Municipal Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MCBRIEN.

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TORONTO:  
Printed by

# BILL

An Act to amend The Local Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 2 of *The Local Improvement Act* is amended by adding thereto the following clause,—

Rev. Stat.,  
c. 235,  
s. 2, subs. 1,  
amended.

“(q) widening a pavement on a street.”

2. Section 20 of *The Local Improvement Act* is amended by adding thereto the following subsection,—

Rev. Stat.,  
c. 235, s. 20,  
amended.

(3) Where the work is the widening of a pavement on a street the lots on each side of such street shall be deemed to abut directly on the work.

Case of  
widening  
pavement.

3. Section 34 of *The Local Improvement Act* is amended by adding thereto the following subsection,—

Rev. Stat.,  
c. 235, s. 34,  
amended.

(3) Where the work is the widening of a pavement which has been constructed as a local improvement and the lifetime of which has not expired, the unexpired portion of the lifetime of the pavement so constructed shall be the lifetime of the work.

Lifetime  
of work of  
widening  
pavement.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Local Improvement  
Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MCBRIEN.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to amend The Local Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 2 of *The Local Improvement Act* is amended by adding thereto the following clause,— Rev. Stat., c. 235, s. 2, subs. 1, amended.

“(q) widening *on petition only*, a pavement on a street.”

2. Section 20 of *The Local Improvement Act* is amended by adding thereto the following subsection,— Rev. Stat., c. 235, s. 20, amended.

(3) Where the work is the widening of a pavement on a street the lots on each side of such street shall be deemed to abut directly on the work. Case of widening pavement.

3. Section 34 of *The Local Improvement Act* is amended by adding thereto the following subsection,— Rev. Stat., c. 235, s. 34, amended.

(3) Where the work is the widening of a pavement which has been constructed as a local improvement and the lifetime of which has not expired, the unexpired portion of the lifetime of the pavement so constructed shall be the lifetime of the work. Lifetime of work of widening pavement.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Local Improvement  
Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 18th, 1929.

*3rd Reading*

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MR. MCBRIEN.

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*(Reprinted as amended by the Municipal  
Committee.)*

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Local Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 1 of section 2 of *The Local Improvement Act* is amended by adding thereto the following clause,— Rev. Stat., c. 235, s. 2, subs. 1, amended.

“(q) widening on petition only, a pavement on a street.”

**2.** Section 20 of *The Local Improvement Act* is amended by adding thereto the following subsection,— Rev. Stat., c. 235, s. 20, amended.

(3) Where the work is the widening of a pavement on a street the lots on each side of such street shall be deemed to abut directly on the work. Case of widening pavement.

**3.** Section 34 of *The Local Improvement Act* is amended by adding thereto the following subsection,— Rev. Stat., c. 235, s. 34, amended.

(3) Where the work is the widening of a pavement which has been constructed as a local improvement and the lifetime of which has not expired, the unexpired portion of the lifetime of the pavement so constructed shall be the lifetime of the work. Lifetime of work of widening pavement.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Local Improvement  
Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

February 18th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. McBRIEN.

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TORONTO:  
Printed by



# BILL

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 112 of *The Assessment Act* is amended by adding thereto the following subsection,— Rev. Stat., c. 238, s. 112 amended.

(12) Where the person making any such distress and levy is a salaried employee of the municipal corporation the costs in respect to such distress and levy shall belong to the corporation. Costs of distress when to belong to corporation.

2. Section 130 of *The Assessment Act* is amended by adding thereto the following subsection,— Rev. Stat., c. 238, s. 130, amended.

(2) In cities of not less than 200,000 population the list shall be a list of all lands in the municipality in respect of which any taxes have been in arrear for the two years next preceding the first day of January in any year. List of lands two years in arrear in cities over 200,000.

3. Subsection 1 of section 143 of *The Assessment Act* is repealed and the following substituted therefor,— Rev. Stat., c. 238, s. 143, subs. 1, repealed.

143.—(1) In cities having a population of not less than 100,000 the treasurer, or the collector if the rolls are unreturned, shall add to the amount of all taxes due and unpaid interest from the first day of January in the year following the year in which such taxes are levied until such taxes are paid, at the rate of six per cent. per annum on taxes due in respect to any parcel of land and at the rate of seven per cent. per annum on taxes due in respect to any business or income assessment, and such interest shall form part of the taxes and shall be collected irrespective of any percentage charge imposed under the provisions of section 111 of this Act. Percentage to be added to arrears.

Rev. Stat.,  
c. 238, s. 145,  
amended.

**4.** Section 145 of *The Assessment Act* is amended by striking out the words "for three years" in the second line thereof.

Commence-  
ment of  
Act.

**5.** This Act shall come into force on the 31st day of December, 1929.



Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Assessment Act.

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*1st Reading*

February 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MCBRIEN.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 1 of section 408 of *The Municipal Act* is amended by inserting after the word "cabs" in the second line thereof, the word "motor." Rev. Stat., c. 233, s. 408, par. 1, amended.

2. Paragraph 2 of section 408 of *The Municipal Act* is amended by inserting after the word "omnibuses" in the second line thereof, the word "motor." Rev. Stat., c. 233, s. 408, par. 2, amended.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.  
An Act to amend The Municipal Act.

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*1st Reading*  
February 7th, 1929.

*2nd Reading*

*3rd Reading*

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MR. ROBB.

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TORONTO:  
Printed by

# BILL

## An Act to amend The Dog Tax and Sheep Protection Act.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** Section 5 of *The Dog Tax and Sheep Protection Act* is <sup>Rev. Stat.,  
c. 300, s. 5,</sup> amended by striking out the words “of a city having a popu-  
lation of not less than 100,000” in the third line. <sup>amended.</sup>

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Dog Tax and Sheep  
Protection Act.

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*1st Reading*

February 7th, 1929.

*2nd Reading*

*3rd Reading*

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MR. WILSON (Niagara Falls).

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



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# BILL

## An Act to amend The Dog Tax and Sheep Protection Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 5 of *The Dog Tax and Sheep Protection Act* is <sup>Rev. Stat.,</sup> amended by striking out the words "having a population of <sup>c. 300, s. 5,</sup> not less than 100,000" in the third line. <sup>amended.</sup>

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Dog Tax and Sheep  
Protection Act.

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*1st Reading*

February 7th, 1929.

*2nd Reading*

February 14th, 1929.

*3rd Reading*

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MR. WILSON (Niagara Falls).

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*(Reprinted as amended by the Municipal  
Committee.)*

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Dog Tax and Sheep Protection Act.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. Section 5 of *The Dog Tax and Sheep Protection Act* is <sup>Rev. Stat.,</sup>  
amended by striking out the words "having a population of <sup>c. 300, s. 5.</sup>  
not less than 100,000" in the third line. <sub>amended.</sub>

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Dog Tax and Sheep  
Protection Act.

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*1st Reading*

February 7th, 1929.

*2nd Reading*

February 14th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. WILSON (Niagara Falls).

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TORONTO:

Printed by

# BILL

## An Act to amend The Election Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Election Act, 1929*.

Short title.

2. Section 57 of *The Election Act* is amended by adding thereto the following subsection:

Rev. Stat.  
c. 8, s. 57,  
amended.

(7) Notwithstanding anything in the preceding subsections of this section contained, where objection is made by an elector present at the nomination meeting and the acceptance or rejection of the nomination paper by the returning officer and the objection and the grounds therefor, stated in writing, are delivered to the returning officer, the returning officer shall thereupon adjourn the proceedings until one o'clock in the afternoon of the following day and shall in the meantime communicate with the Chief Election Officer and obtain his decision upon the controversy, and the decision of the Chief Election Officer shall be final and conclusive and shall not be open to question upon any ground whatsoever either by way of proceedings under *The Controverted Elections Act* or otherwise, but nothing in this subsection contained shall,—

Dealing with  
objection to  
nomination  
paper.

(a) authorize the acceptance of any nomination presented for the first time after the time fixed for the close of nominations in the proclamation of the returning officer; nor

Saving.

(b) authorize the acceptance of any nomination paper which is not signed by at least one hundred persons resident and purporting to be electors in the electoral district; nor

(c) affect any nomination certified to be validly made as required by subsection 6 of this section.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Election Act.

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*1st Reading*

February 8th, 1929.

*2nd Reading*

*3rd Reading*

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MR. NIXON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 2 of section 10 of *The Assessment Act* is Rev. Stat., c. 238, s. 10, subs. 2, amended. amended by striking out in the first line the words "the amount of" so that the subsection will now read as follows:

(2) The income to be assessed shall be the income Assessment of,—how fixed. received during the year ending on the 31st of December then last past.

2. Subsection 1 of section 20 of *The Assessment Act* is Rev. Stat., c. 238, s. 20, subs. 1, amended. amended by striking out the words "showing his total income from all sources during the current year and in ascertaining such income subsection 2 of section 10 shall apply" in the fifth, sixth and seventh lines and substituting therefor the words "showing the income received during the year ending on the 31st of December then last past."

3rd Session, 17th Legislature,  
19 George V, 1929.

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BILL.

An Act to amend The Assessment Act.

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*1st Reading*

February 8th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



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# BILL

## An Act to amend The Dog Tax and Sheep Protection Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Dog Tax and Sheep Protection Act, 1929.* Short title.

**2.** Subsection 1 of section 9 of *The Dog Tax and Sheep Protection Act* is amended by adding thereto the following words: "Provided that the council of the municipality may with the assent of the municipal electors pass a by-law requiring in each case proof satisfactory to the majority of the council that the sheep have been killed or injured by dogs and not by wild animals." Rev. Stat., c. 300, s. 9, subs. 1, amended.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Dog Tax and Sheep  
Protection Act.

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*1st Reading*

February 13th, 1929.

*2nd Reading*

*3rd Reading*

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MR. FARQUHAR.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Dog Tax and Sheep Protection Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Dog Tax and Sheep Protection Act, 1929.* Short title.

**2.** Section 9 of *The Dog Tax and Sheep Protection Act* is Rev. Stat., c. 300, s. 9, amended. amended by adding thereto the following subsection:

(1a) The council of a township in unorganized territory with the assent of the municipal electors secured at any annual municipal election may pass a by-law providing that the municipality shall not be liable to the owner of the sheep for the amount of the damage, unless such owner furnishes proof to the satisfaction of the council that the sheep were killed or injured by dogs and not by wild animals.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Dog Tax and Sheep  
Protection Act.

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*1st Reading*

February 13th, 1929.

*2nd Reading*

February 22nd, 1929.

*3rd Reading*

March 28th, 1929.

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MR. FARQUHAR.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Evidence Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Evidence Act, 1929*. Short title.

2: *The Evidence Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 107,  
amended.

28a.—(1) In this section "bank" shall mean and include a bank to which *The Bank Act*, Revised Statutes of Canada, 1927, chapter 12, applies and every branch, agency or office of a bank and an office opened under *The Agricultural Development Finance Act* in any part of Ontario. Inter-pretation  
"Bank."  
R.S.C., c. 12;  
Rev. Stat.,  
c. 67.

(2) Subject to the provisions of this section a copy of an entry in a book or record kept in a bank shall in any action to which the bank is not a party be received as *prima facie* evidence of such entry and of the matters, transactions and accounts therein recorded. Copies of  
entries in  
books as  
*prima facie*  
evidence.

(3) A copy of an entry in such book or record shall not be received in evidence under this section unless it be first proved that the book or record was at the time of making the entry one of the ordinary books or records of the bank, that the entry was made in the usual and ordinary course of business, that the book or record is in the custody or control of the bank, or its successor, and that such copy is a true copy thereof, and such proof may be given by the manager or accountant, or a former manager of the bank or its successor and may be given orally or by affidavit. Proof  
required as  
to entry in  
ordinary  
course of  
business.

(4) A bank or officer of a bank shall not in an action to which the bank is not a party be compellable to produce any book or record the contents of which Production  
of books to  
be required  
only under  
order.

can be proved under this section, or to appear as a witness to prove the matters, transactions and accounts therein recorded, unless by order of the court or a judge made for special cause.

Inspection  
of account.

- (5) On the application of any party to an action the court or judge may order that such party be at liberty to inspect and take copies of any entries in the books or records of a bank for the purposes of such proceeding, but a person whose account is to be inspected shall be served with notice of the application at least two clear days before the hearing thereof, and if it is shown to the satisfaction of the court or judge that such person cannot be notified personally such notice may be given by addressing the same to the bank.

Costs.

- (6) The costs of any application to a court or judge under or for the purposes of this section, and the costs of anything done or to be done under an order of a court or judge made under or for the purposes of this section, shall be in the discretion of the court or judge who may order the same or any part thereof to be paid to any party by the bank, where the same have been occasioned by any default or delay on the part of the bank. Any such order against a bank may be enforced as if the bank was a party to the proceeding.

Enforcement  
of order  
against  
bank.

Commence-  
ment of  
Act.

- 3.** This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Evidence Act.

---

*1st Reading*

February 13th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Evidence Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Evidence Act, 1929*. Short title.

2. *The Evidence Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 107,  
amended.

28a.—(1) In this section “bank” shall mean and include a bank to which the *Bank Act*, Revised Statutes of Canada, 1927, chapter 12, applies and every branch, agency or office of a bank and an office opened under *The Agricultural Development Finance Act* in any part of Ontario. Inter-  
pretation  
“Bank.”  
R.S.C., c. 12;  
  
Rev. Stat.,  
c. 67.

(2) Subject to the provisions of this section a copy of an entry in a book or record kept in a bank shall in any action to which the bank is not a party be received as *prima facie* evidence of such entry and of the matters, transactions and accounts therein recorded. Copies of  
entries in  
books as  
*prima facie*  
evidence.

(3) A copy of an entry in such book or record shall not be received in evidence under this section unless it be first proved that the book or record was at the time of making the entry one of the ordinary books or records of the bank, that the entry was made in the usual and ordinary course of business, that the book or record is in the custody or control of the bank, or its successor, and that such copy is a true copy thereof, and such proof may be given by the manager or accountant, or a former manager of the bank or its successor and may be given orally or by affidavit. Proof  
required as  
to entry in  
ordinary  
course of  
business.

(4) A bank or officer of a bank shall not in an action to which the bank is not a party be compellable to produce any book or record the contents of which Production  
of books to  
be required  
only under  
order.

can be proved under this section, or to appear as a witness to prove the matters, transactions and accounts therein recorded, unless by order of the court or a judge made for special cause.

Inspection  
of account.

- (5) On the application of any party to an action the court or judge may order that such party be at liberty to inspect and take copies of any entries in the books or records of a bank for the purposes of such proceeding, but a person whose account is to be inspected shall be served with notice of the application at least two clear days before the hearing thereof, and if it is shown to the satisfaction of the court or judge that such person cannot be notified personally such notice may be given by addressing the same to the bank.

Costs.

- (6) The costs of any application to a court or judge under or for the purposes of this section, and the costs of anything done or to be done under an order of a court or judge made under or for the purposes of this section, shall be in the discretion of the court or judge who may order the same or any part thereof to be paid to any party by the bank, where the same have been occasioned by any default or delay on the part of the bank. Any such order against a bank may be enforced as if the bank was a party to the proceeding.

Enforcement  
of order  
against  
bank.

Commence-  
ment of  
Act.

- 3.** This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Evidence Act.

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*1st Reading*

February 13th, 1929.

*2nd Reading*

February 15th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. PRICE.

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TORONTO:  
Printed by

# BILL

An Act to regulate the Moving of Household Goods.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Household Goods Moving Act, 1929.* Short title.

2. In this Act "Householder" shall mean the person who occupies a dwelling or apartment house, or part of a dwelling or apartment house separately occupied as a dwelling. Interpretation, "Householder."

3. Every person who by means of a motor or horse-drawn vehicle moves household goods and furniture belonging to or in the possession of a householder in a city or town, or a township bordering on a city or town, from one place to another within the corporate limits, or to some place outside such limits, shall at the time of such moving, or within twenty-four hours thereafter, file in the office of the clerk of such city, town or township a notice (Form 1) by leaving it with the clerk or sending it to his address by post. Notice of moving to be filed with clerk of municipality.

4. Every person who contravenes the provisions of section 3 shall incur a penalty not exceeding \$50 recoverable under the provisions of *The Summary Convictions Act.* Penalty. Rev. Stat., c. 121.

5. The clerk of every city and town and of every township bordering on a city or town shall provide himself with a supply of blank forms of such notice which may be written, type-written or printed, and shall furnish them free of charge to persons requiring the same, but the mover may use forms of notices prepared by himself if he desires to do so. Forms to be supplied by clerk.

6.—(1) The clerk shall keep in his office a book in which he shall enter the names of all householders contained in such notices arranged in alphabetical order according to their surnames together with the other particulars set out in the notices. Record to be kept by clerk.

Searches. (2) Every person desiring to do so may search such book on payment to the clerk of a fee of twenty-five cents for each name with regard to which a search is required and the clerk shall be entitled to retain all fees received for his own use.

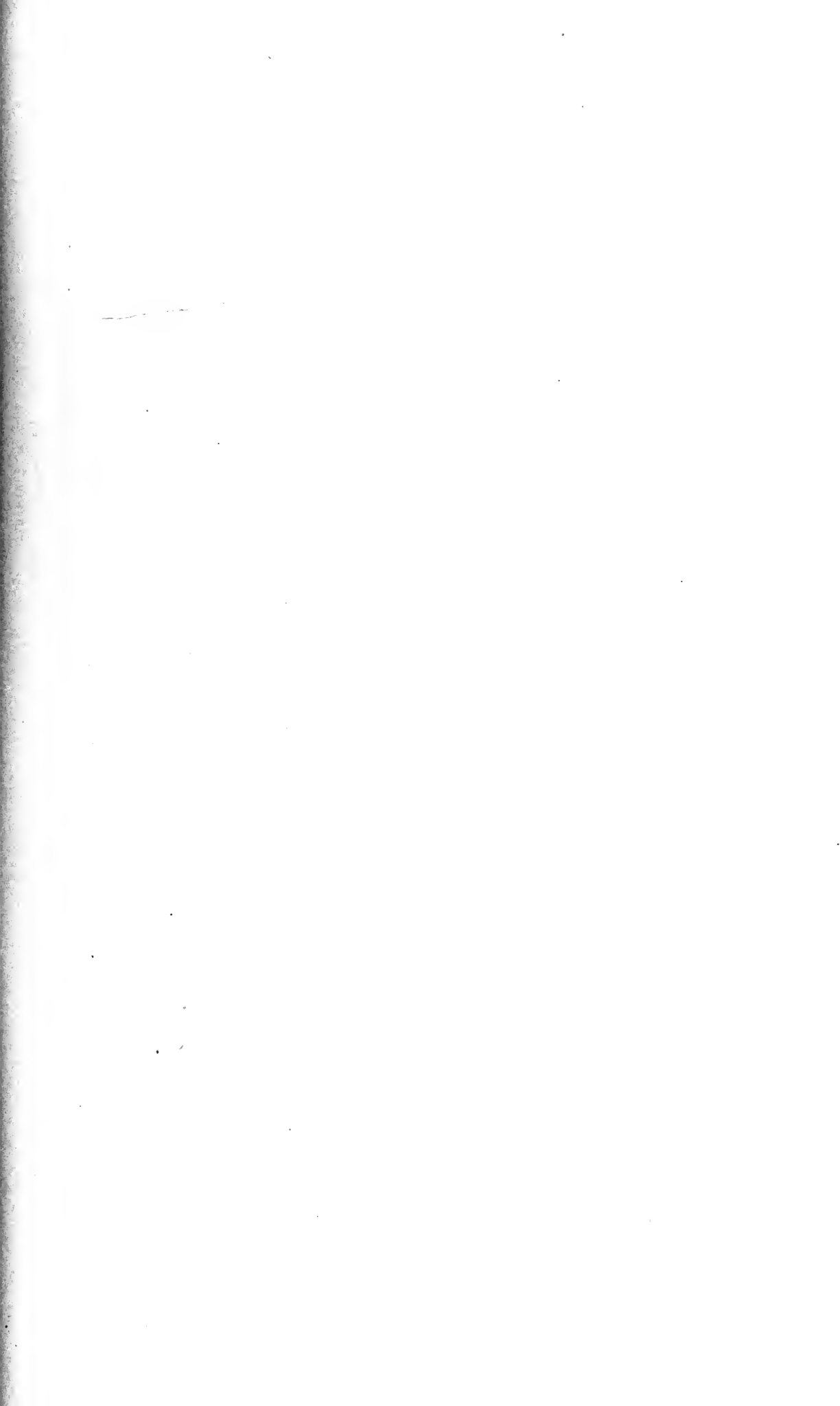
Commence-  
ment of Act. 7. This Act shall come into force on the 1st day of July, 1929.

FORM I.

TAKE NOTICE that I am moving (or have moved) the household goods and furniture of.....  
from No. .... Street, in the city (or town) of .....  
or from Lot No. .... in the ..... Concession of the  
township of ..... to No. .... Street in the  
city (town or village) of ..... or to Lot No. ....  
in the ..... Concession of the township of .....  
Dated at ..... this ..... day of  
..... 19.....

A.B.....  
*Mover*

Address.....



Ontario,  
19 George V, 1929.

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BILL.  
An Act to regulate the Moving of  
Household Goods.

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*1st Reading*

February 14th, 1929.

*2nd Reading*

*3rd Reading*

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MR. HORNUTH.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 233,  
amended.

111a.—(1) The following provisions of this section shall apply in the case of a polling subdivision in a township or village and in a town having a population of not more than 3,500 according to the last Dominion census, provided that such polling subdivision is not within five miles of a city having a population of 100,000 or over. Application  
of section.

(2) The deputy returning officer, if required by any person whose name is not on the voter's list and who is vouched for by an elector whose name is upon the voter's list and who is resident in such polling subdivision, shall administer to such person an oath in the following form:— Omission of  
name from  
voter's list,—  
voting when  
vouched for.

You swear that your name is (*full name of applicant*) that you reside at (*give street number, lot, concession, etc.*) and that your name as you verily believe has been omitted in error from the voter's list. So help you God.

and to such other person the deputy returning officer shall administer an oath in the following form:—

You swear that your name is (*full name of voter*), that you reside at (*give street number, lot, concession, etc.*) and that you are the person named by the said name on the voter's list.

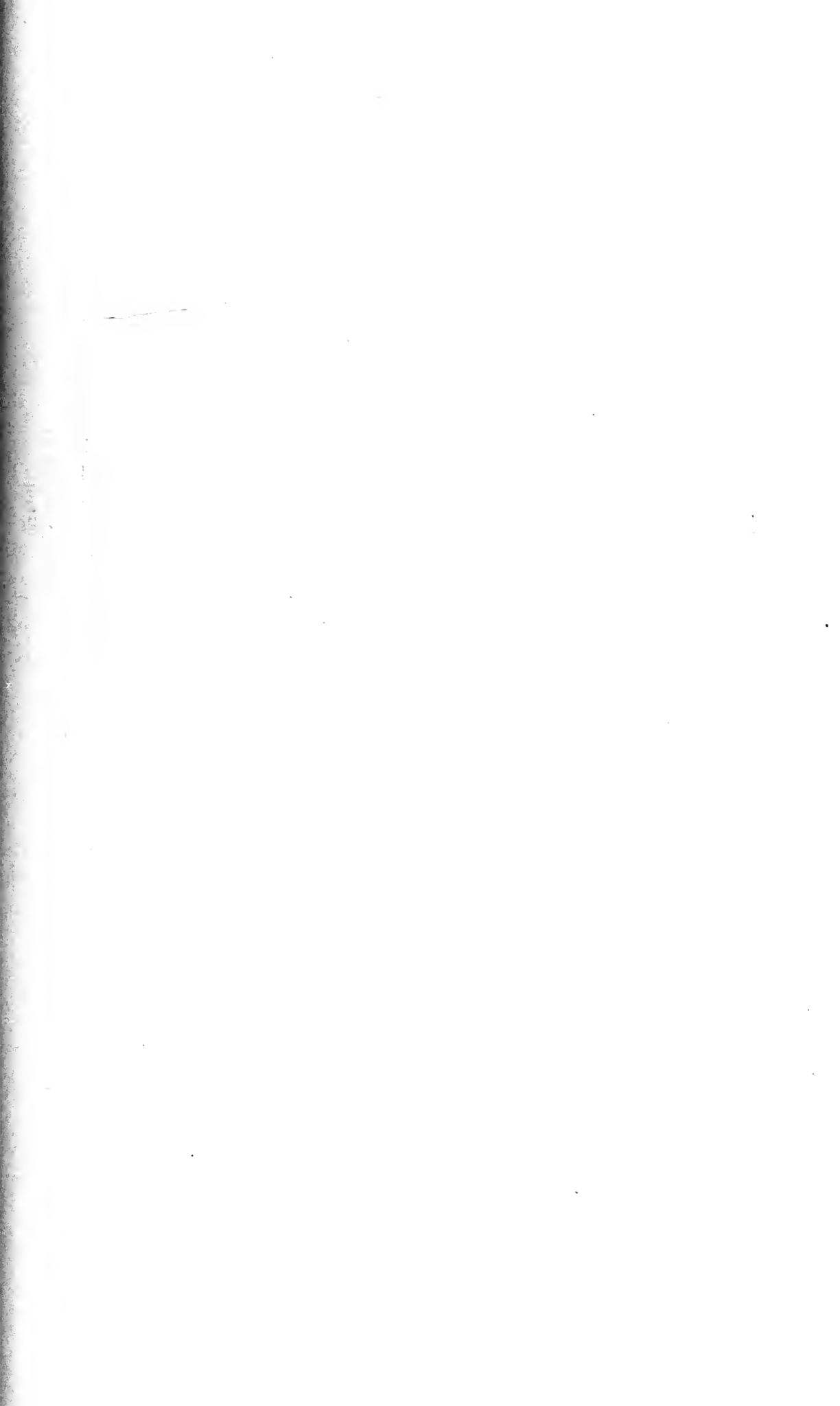
That you well know (*insert name of applicant*) and that he is as you believe duly qualified to be entered on the voter's list and to vote at this election. So help you God.

Voter to  
take oath.

- (3) The deputy returning officer shall then administer to the applicant the proper oath to be administered to voters, (Form 9) (leaving out paragraph 1 in this oath) and shall cause the applicant's name to be added to the voter's list with the word "sworn" written thereafter.

Right to  
vote after  
taking oath.

- (4) The applicant upon taking the oath and being so vouched for shall be entitled to vote. (*New, see Rev. Stat., c. 8, s. 92.*)



Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Municipal Act.

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*1st Reading*

February 15th, 1929.

*2nd Reading*

*3rd Reading*

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MR. SMYTH.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Hospitals and Charitable Institutions Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Hospitals and Charitable Institutions Act, 1929.* Short title.

**2.** Notwithstanding anything contained in *The Hospitals and Charitable Institutions Act* a municipal corporation which maintains a hospital in the municipality or under agreement or otherwise provides for hospital treatment and care in a hospital in the municipality shall not be liable for the maintenance of any resident of the municipality receiving treatment in a hospital in another municipality. Municipal Corporation, when not liable for maintenance.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Hospitals and  
Charitable Institutions Act.

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*1st Reading*

February 15th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MEDD.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

[An Act] to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 2 of section 398 of *The Municipal Act* is amended by inserting the word "location" after the word "bulk" in the first line thereof; and by striking out all the words after the word "by-law" in the fourth line of clause (c) and inserting in lieu thereof the following: "Such notice may be given by publishing in a newspaper published in the municipality, once a week for two successive weeks, a true copy of the proposed by-law, or a synopsis of it, containing a concise statement of its purpose, the last of which publications shall be not more than ten, nor less than three, days prior to the date fixed for the hearing of such application by the Municipal Board, together with notice of the time and place at which such application will be heard."

Rev. Stat.,  
c. 233, s. 398,  
par. 2,  
amended.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Municipal Act.

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*1st Reading*

February 15th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PINARD.

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TORONTO:  
Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to make Uniform the Law respecting Assignments of Book Debts

(Recommended by the Commissioners on Uniformity of Legislation in Canada.)

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Assignment of Book Debts Act, 1929.* Short title.

**2.** In this Act, unless the context otherwise requires: Interpretation.

- (a) "Assignee" shall mean any person to whom an assignment of book debts is made; "Assignee."
- (b) "Assignment" shall include every legal and equitable assignment, whether absolute or by way of security, and every mortgage or other charge upon book debts; "Assignment."
- (c) "Assignor" shall mean any person making an assignment of book debts; "Assignor."
- (d) "Book debts" shall mean all such accounts and debts whether existing or future as in the ordinary course of business would be entered in books, whether actually entered or not, and includes any part or class thereof; "Book debts."
- (e) "Creditors" shall mean creditors of the assignor, whether execution creditors or not, who become creditors before the registration of an assignment, and, for the purpose of enforcing the rights of such creditors but not otherwise, includes a creditor suing on behalf of himself and other creditors, an assignee for the general benefit of creditors, a trustee under the *Bankruptcy Act* and a liquidator "Creditors."

R.S.C.,  
cc. 11, 213.

of a company under the *Winding-up Act* of Canada or under a provincial Act containing provisions for the winding-up of companies, without regard to the time when the creditor so suing becomes a creditor, or when the assignee, trustee or liquidator is appointed;

"Proper officer."

(f) "Proper officer" shall mean the clerk of the county or district court in each county or district;

"Registered."

(g) "Registered" shall mean filed in accordance with the provisions of this Act;

"Subsequent purchasers."

(h) "Subsequent purchasers" shall include any person who in good faith for valuable consideration and without notice obtains by assignment, an interest in book debts which have already been assigned;

"Valuable consideration."

(i) "Valuable consideration" shall include

(i) any consideration sufficient to support a simple contract;

(ii) an antecedent debt or liability.

Application of Act.

**3.** This Act shall not apply to:

(a) any assignment of book debts, whether specific or by way of floating charge, made by a corporation, and contained:

(i) in a trust deed or other like instrument to secure bonds, debentures, or debenture stock of the corporation; or

(ii) in any bonds, debentures, or debenture stock of the corporation, as well as in the trust deed or other like instrument securing the same; or

(iii) in any bonds, debentures, or debenture stock or any series of bonds or debentures of the corporation not secured by any trust deed or other like instrument.

(b) any assignment of book debts due at the date of the assignment from specified debtors;

(c) any assignment of debts growing due under specified contracts;

- (d) any assignment of book debts included in a transfer of a business made *bona fide* and for value;
- (e) any assignment of book debts, included in any authorized assignment under the *Bankruptcy Act*.

4.—(1) Save as herein provided every assignment of book <sup>Registration.</sup> debts made by any person engaged in a trade or business shall be absolutely void as against the creditors of the assignor and as against subsequent purchasers unless such assignment is:

- (a) in writing;
- (b) accompanied by an affidavit of an attesting witness or affidavits of attesting witnesses, of the execution thereof by the assignor, or by the assignors respectively, identifying the assignment and stating the date of execution by the assignor, or the respective dates of execution by the assignors, as the case may be, and a further affidavit of the assignee, or one of the several assignees, his or their agent, stating that the assignment was executed in good faith and for valuable consideration and not for the mere purpose of protecting the book debts therein mentioned against the creditors of the assignor or for the purpose of preventing such creditors from recovering any claims which they have against the assignor;
- (c) registered, as hereinafter provided, together with the affidavits within thirty days of the execution of the assignment.

(2) If there are two or more assignors, the date of execution of the assignment shall be deemed to be the date of the execution by the assignor who last executes it.

(3) Every assignment which is required to be in writing and to be registered under this Act shall, as against creditors and subsequent purchasers, take effect only from the time of the registration of the assignment.

5.—(1) Registration of an assignment under this Act shall be effected by filing the assignment together with such affidavits as are by this Act required, within thirty days from its execution, in the office of the proper officer of a county or district determined in accordance with the following rules:

- (a) Where the assignor is a corporation incorporated under the laws of the province, in the county or

• district in which the head office or registered office is situate;

- (b) Where the assignor is an extra-provincial corporation having a head office or registered office within the province, in the county or district in which such head office or registered office is situate;
- (c) Where the assignor is not a corporation, in the county or district in which the assignor carries on business at the time of the execution of the assignment;
- (d) Where the assignor is not a corporation, and at the time of the execution of the assignment carries on business in different counties or districts, in any such county or district, and by filing a duplicate original of the assignment and affidavits, or a copy thereof certified by the proper officer of that county or district, in each of the other counties or districts.

(2) The proper officer shall cause every assignment filed in his office to be numbered, to be endorsed with a memorandum of the day, hour, and minute of filing, and to be indexed by entering in alphabetical order in a register kept by him the names of the parties to the assignment with their descriptions and the dates of execution and registration of the assignment.

(3) Where the time for registration of any assignment or other document expires on a Sunday or other day on which the office in which the registration is to be made is closed, the registration shall, so far as regards the time of registration, be valid if made on the next following day on which the office is open.

Discharge.

**6.**—(1) An assignment registered under this Act may be discharged in whole or in part by the registration in the office in which the same is registered of a certificate of discharge, signed by the assignee, his executors, administrators, or assigns, and accompanied by an affidavit of an attesting witness of the due execution thereof.

(2) The proper officer in whose office a certificate of discharge accompanied by the affidavit of execution is registered shall note the fact of such discharge against each entry in the books of his office respecting the registration of the assignment and shall make a like notation upon the assignment or copy registered in his office.

(3) If there are two or more assignors residing in different counties or districts affected by the discharge, the registration

may be effected either by filing a duplicate or other original of the certificate of discharge and affidavit of execution in the office of the proper officer in each of the counties or districts, or by filing the certificate of discharge and affidavit of execution in one of the counties or districts and by filing a certificate of the entry of the discharge therein, signed by the proper officer of that county or district in the office of the proper officer of each of the other counties or districts and each proper officer shall make the like notations of the discharge in the records of his office as are provided by subsection 2.

(4) The proper officer in whose office the certificate of discharge is registered shall on request furnish a certificate of the entry of the discharge in the records of his office.

7. Upon payment of the prescribed fees every person shall have access to and be entitled to inspect the books of any proper officer containing records or entries of assignments or documents registered or filed under the provisions of this Act; and no person shall be required, as a condition of his right thereto, to disclose the name of the person in respect of whom such access or inspection is sought; and every proper officer shall, upon request accompanied by payment of the prescribed fees, produce for inspection any assignment or document so registered or filed in his office. <sup>Inspection of records.</sup>

8. For the purpose of registration of assignments or other documents each county or district in the province shall be a registration district and the clerk of the county or district court shall be the proper officer for the registration of assignments or documents in that county or district. <sup>Registration districts and offices.</sup>

9.—(1) Affidavits required by this Act may be taken and made before the proper officer of any county or district or before any person, whether within or without the province, authorized to take affidavits in or concerning any cause, matter, or thing pending in any court in the province. <sup>Taking affidavits.</sup>

(2) No registered assignment or other document shall be held to be defective or void solely on the ground that any affidavit required by this Act was taken and made before a solicitor for any of the parties to the assignment or other document, or before a partner of such solicitor, or before a clerk in the office of such solicitor.

10. Any affidavit required by this Act to be made by an assignee may, in the event of his death be made by his executor or administrator, or by any of his next of kin or by the duly authorized agent of the executor or administrator. <sup>Affidavit in case of death of assignee.</sup>

Affidavit  
on behalf of  
corporation.

**11.** Where the assignee is a corporation, every affidavit required or permitted by this Act to be made or given by the corporation as such assignee may be made or given by any officer, employee or agent of the corporation.

Affidavit  
of agent or  
officer.

**12.** Any affidavit made for the purposes of this Act by the agent of an assignee, or of an executor or administrator, or by an officer, employee or agent of a corporation, shall state that the deponent is aware of the circumstances connected with the assignment, and that he has a personal knowledge of the facts deposed to.

No affidavit  
of execution  
by corpora-  
tion.

**13.** Where an assignment or certificate of discharge or other document has been executed by a corporation under the provisions of this Act no affidavit of an attesting witness shall be required.

Proof  
of execution.

**14.** In case, before the making of any affidavit of execution required by this Act, the attesting witness to an assignment, certificate of discharge or other document dies or leaves the province, or becomes incapable of making or refuses to make such affidavit, a judge of the county or district court may make an order permitting the registration of the assignment, certificate of discharge or other document, upon such proof of its due execution and attestation as the judge by the order may require and allow. The order, or a copy thereof, shall be annexed to the assignment, certificate of discharge or other document, as the case may be, and filed therewith; and the registration of the assignment, certificate of discharge or other document, under and in compliance with the terms of the order, shall have the like effect as the registration thereof with the affidavit of execution otherwise required by this Act.

Rectification  
of omissions  
and mis-  
statements.

**15.** Subject to the rights of other persons accrued by reason of any omission or misstatement referred to in this section, a judge of the county or district court on being satisfied that the omission to register an assignment within the time prescribed by this Act, or any omission or misstatement in any document filed under this Act, was accidental or due to inadvertence or impossibility, or other sufficient cause, may, in his discretion, extend the time for registration or order the omission or misstatement to be rectified, on such terms and conditions (if any) as to security, notice by advertisement or otherwise, or as to any other matter or thing as the judge thinks fit to direct. The order, or a copy thereof, made under this section shall be annexed to the assignment or copy thereof on file or tendered for registration and appropriate entries shall be made in the register.

Defects  
and irregu-  
larities.

**16.** No defect or irregularity in the execution or attestation of an assignment, or other document; no defect, irregularity,

or omission in any affidavit accompanying an assignment or filed in connection with its registration; and no error of a clerical nature or in an immaterial or non-essential part of an assignment shall invalidate or destroy the effect of the assignment or the registration thereof, unless in the opinion of the court or judge before whom a question relating thereto is tried such defect, irregularity, omission, or error has actually misled some person whose interests are affected by the assignment.

**17.** Copies of an assignment, certificate of discharge or other document registered or filed under this Act certified by the registration clerk shall be received as *prima facie* evidence for all purposes as if the original assignment or document were produced and also as *prima facie* evidence of the execution of the original assignment or document according to the purport of such copy, and the clerk's certificate shall also be *prima facie* evidence of the date and hour of registration and filing. Evidence of records.

**18.** For services under this Act each registration clerk shall be entitled to receive the following fees: Fees.

- (1) For filing and registering an assignment or certificate of discharge..... \$1 00
- (2) For any search in respect to any one particular name or person..... 50  
     For each name or person searched after the first 10
- (3) For the production for inspection or inspection of any assignment or document filed..... 10
- (4) For copies of, or extracts from any assignment or document filed under this Act or any former Act whether made by the person making the search or by the clerk, per hundred words..... 10
- (5) For a certificate of the registration of any assignment, discharge, or any document filed under this Act, or any former Act, giving time, date and number of registration when required, or any other certificate for the purpose of this Act..... 50
- (6) For every necessary letter..... 25

**19.** *The Assignment of Book Debts Act* being chapter 166 of the Revised Statutes of 1927, is repealed. Rev. Stat., c. 166, repealed.

**20.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

Ontario,  
19 George V, 1929.

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BILL.

An Act to make Uniform the Law respecting Assignments of Book Debts.

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*1st Reading*

February 15th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:  
Printed by  
The Printer to the King's Most Excellent Majesty.



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# BILL

An Act to make Uniform the Law respecting  
Conditional Sales of Goods.

*(Recommended by the Commissioners on Uniformity of  
Legislation in Canada.)*

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. This Act may be cited as *The Conditional Sales Act, 1929*. Short title.
2. In this Act, unless the context otherwise requires:
 

	Inter- pretation.
--	----------------------

  - (a) "Buyer" shall mean the person who buys or hires "Buyer."  
goods by a conditional sale, or any successor in inter-  
est of such person;
  - (b) "Conditional sale" shall mean
 

	"Conditional Sale."
--	------------------------

    - (i) any contract for the sale of goods under which  
possession is or is to be delivered to the buyer  
and the property in the goods is to vest in him  
at a subsequent time upon payment of the  
whole or part of the price or the performance  
of any other condition; or
    - (ii) any contract for the hiring of goods by which  
it is agreed that the hirer shall become, or  
have the option of becoming, the owner of  
the goods upon full compliance with the  
terms of the contract;
  - (c) "Goods" shall mean all chattels personal other than "Goods."  
things in action or money, and includes emblements,  
industrial growing crops, and things attached to or  
forming part of the land which are agreed to be  
severed before sale, or under the contract of sale;

“Proper officer.”

(d) “Proper officer” shall mean the clerk of the county or district court in each county or district;

“Seller.”

(e) “Seller” shall mean the person who sells or lets to hire goods by a conditional sale, or any successor in interest of such person.

Requisites as against certain persons.

**3.**—(1) After possession of goods has been delivered to a buyer under a conditional sale, every provision contained therein whereby the property in the goods remains in the seller shall be void as against subsequent purchasers or mortgagees claiming from or under the buyer in good faith, for valuable consideration and without notice, and as against creditors of the buyer who at the time of becoming creditors have no notice of the provision and who subsequently obtained judgment, execution, or an attaching order, under which the goods, if the property of the buyer, might have been seized, and the buyer shall, notwithstanding such provision, be deemed the owner of the goods, unless the requirements of this Act are complied with.

(2) Such provision shall be evidenced by a writing signed prior to or at the time of delivery of the goods, by the buyer or his agent, giving a description of the goods by which they may be readily and easily known and distinguished, and stating the amount unpaid of the purchase price or the terms and conditions of the hiring; and a true copy of such writing shall be filed within twenty days after it has been signed, with the proper officer of the county or district in which the buyer resided at the time of the making of the conditional sale, or, in case his residence is outside the Province, of the county or district where the goods are delivered.

(3) If the buyer resides in one county or district and the goods are delivered to him in another, such copy shall be filed in the county or district in which the delivery is made as well as in that of the buyer's residence.

(4) If the goods are after delivery removed by the buyer into another county or district, a true copy of such writing shall, within twenty days after such removal has come to the knowledge of the seller, be filed in the county or district into which the goods are removed.

(5) If the goods, having been delivered at a place outside the Province, are subsequently removed into the Province by the buyer, such copy shall be filed in the county or district to which the goods are removed, within twenty days after such removal has come to the knowledge of the seller.

(6) In the case of a contract for the sale to a railway, street railway or inter-urban railway company of rolling stock, the foregoing provisions of this section shall not apply if the contract or a copy of it is, within thirty days of its execution, filed in the office of the provincial secretary of the province in which the head office or chief agency in Canada of the company is situated.

4. If the goods are delivered to any person and the seller expressly or impliedly consents that the buyer may resell them in the course of business, and such person resells the goods in the ordinary course of his business, the property in the goods shall pass to the purchasers notwithstanding the other provisions of this Act. Sales to traders.

5. The seller shall deliver a copy of the writing to the buyer within twenty days after the execution thereof, and if, after request, he neglects or refuses to do so a judge of the county or district court of the county or district in which the buyer resided when the contract was made may, on summary application, make an order for the delivery of such copy. Delivery of copy of writing to buyer.

6. The proper officer shall make an entry of every writing of which a copy is filed in his office under this Act in an index book to be kept for that purpose. Index-book.

7. An error of a clerical nature or in an immaterial or non-essential part of the copy of the writing, which does not mislead, shall not invalidate the filing or destroy the effect of it. Immaterial errors.

8.—(1) The seller shall, within five days after the receipt of a request from any person proposing to purchase the goods or from any actual or intending creditor of the buyer or from any other interested person, accompanied by a sufficient amount in money or postage-stamps to pay the postage on a reply by registered letter, furnish particulars of the amount remaining due to the seller and the terms of payment, and in default he shall be liable, on summary conviction, to a penalty not exceeding \$50. Seller's duty to furnish particulars.

(2) The person making the request shall give a name and post-office address to which a reply may be sent, and it shall be sufficient if the information is given by registered letter, postage prepaid, deposited in a post-office within the prescribed time addressed to the name and post-office address so given.

9.—(1) Except for temporary purposes for a period of not more than thirty days, the buyer shall not remove the goods into another county or district unless he has, at least ten Buyer's duty to give notice of sale or removal.

days before such removal, given the seller personally or by registered mail written notice of the place to which the goods are to be removed and the approximate time of the intended removal.

(2) The buyer shall not, prior to complete performance of the contract, sell, mortgage, charge, or otherwise dispose of his interest in the goods, unless he, or the person to whom he is about to sell, mortgage, charge, or otherwise dispose of same, has notified the seller in writing, personally or by registered mail, of the name and address of such person, not less than ten days before such sale, mortgage, charge, or other disposal.

(3) In case the buyer removes the goods or disposes of his interest in them contrary to the foregoing provisions of this section, the seller may retake possession of the goods and deal with them as in case of default in payment of all or part of the purchase price.

Redemption  
and resale  
where seller  
retakes  
possession.

**10.**—(1) Where the seller retakes possession of the goods pursuant to any condition in the contract, he shall retain them for twenty days, and the buyer may redeem the same within that period by paying or tendering to the seller the balance of the contract price, together with the actual costs and expenses of taking and keeping possession, or by performance or tender of performance of the condition upon which the property in the goods is to vest in the buyer and payment of such costs and expenses; and thereupon the seller shall deliver up to the buyer possession of the goods so redeemed.

(2) When the goods are not redeemed within the period of twenty days, and subject to the giving of the notice of sale prescribed by this section, the seller may sell the goods, either by private sale or at public auction, at any time after the expiration of that period.

(3) If the price of the goods exceeds \$30 and the seller intends to look to the buyer for any deficiency on a resale, the goods shall not be resold until after notice in writing of the intended sale has been given to the buyer.

(4) The notice shall contain:—

- (a) a brief description of the goods; and
- (b) an itemized statement of the balance of the contract price due and the actual costs and expenses of taking and keeping possession up to the time of the notice; and

- (c) a demand that the amount as stated in the notice shall be paid on or before a day mentioned, not less than five days from the delivery of the notice, if it is personally delivered, or not less than seven days from the mailing of the notice, if it is sent by mail; and
- (d) a statement that, unless the amount as stated in the notice is paid within the time mentioned, the goods will be sold either at private sale or advertised and sold by public auction.

(5) The notice may be given by personal delivery to the buyer or by mailing it by prepaid registered mail addressed to the buyer at his last-known address.

(6) The notice may be given during the twenty days mentioned in subsection 1.

(7) This section shall apply notwithstanding any agreement to the contrary.

**11.**—(1) Upon payment or tender of the amount due in respect of the goods or performance of the conditions of the sale, and upon written demand delivered personally or by registered mail by the buyer or any other person having an interest in the goods, the seller shall sign and deliver to the person demanding it a memorandum in writing stating that his claims against the goods are satisfied, and such memorandum shall be accompanied by an affidavit of execution of an attesting witness, and may on payment of the prescribed fee be registered. The memorandum may be in the following form:—

Memorandum of satisfaction.

“I certify that A.B. has paid all money payable to me under Conditional Sale Agreement, dated the . . . . . day of . . . . ., 19 . . ., signed by him and filed on the . . . . . day of . . . . ., 19 . . ., as number . . . . .”

(2) If for ten days after receipt of such demand the seller unreasonably fails to mail or deliver the required memorandum, he shall be liable for all damages suffered by the demandant in consequence of his default.

(3) Upon registration of such memorandum the proper officer with whom the copy of the writing evidencing the conditional sale agreement is filed under the provisions of section 3 shall enter upon such copy and also in the index book opposite the entry of the conditional sale, the following: “Satisfied—see document number . . . . ., dated . . . . .”

Goods affixed to realty.

**12.** If the goods have been affixed to realty they shall remain subject to the rights of the seller as fully as they were before being so affixed, but the owner of such realty, or any purchaser, lessee, mortgagee, or tenant, or other encumbrancer thereof, shall have the right as against the seller to redeem the goods upon payment of the amount owing on them.

Assignment.

**13.** A valid assignment of a lien note or conditional sale agreement shall transfer the assignor's rights of property in the goods therein comprised, his right of seizure, removal, and sale, and all other rights which he possesses for enforcement of the security.

Evidence.

**14.** Copies of any instrument filed under this Act certified by the proper officer shall be received as *prima facie* evidence of the contents of the original instrument and of its execution according to the purport of the copy. And the officer's certificate shall also be *prima facie* evidence of the date and hour of filing.

Fees.

**15.** For services under this Act the proper officer shall be entitled to the following fees:

- (1) For filing each copy of a contract and making such record—
  - (a) if the amount of the contract is less than \$1,000..... \$0 50
  - (b) if the amount of the contract is more than \$1,000..... 1 00
- (2) For filing each discharge or assignment and making a record thereof..... 1 00
- (3) For any search in respect to any one particular name or person..... 50
  - For each name or person searched after the first..... 10
- (4) For the production for inspection or inspection of any copy or document filed..... 10
- (5) For copies of or extracts from any copy or document filed under this Act or any former Act whether made by the person making the search, or by the clerk, per hundred words... 10
- (6) For a certificate of the filing of or identifying any copy or document filed, giving time, date

and number of filing, when required, or any other certificate for the purposes of this Act.. \$0 50

(7) For every necessary letter..... 25

**16.** This Act shall be so interpreted and construed as to effect its general purpose of making uniform the law of those provinces which enact it. Construction of Act.

**17.** *The Conditional Sales Act*, being chapter 165 of the Revised Statutes of 1927, is repealed. Rev. Stat., c. 165, repealed.

**18.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation. Commencement of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act to make Uniform the Law  
respecting Conditional Sales  
of Goods.

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*1st Reading*

February 15th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act respecting the Barberry Shrub.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Barberry Shrub Act, 1929*. Short title.

2. In this Act "barberry" shall mean the species *Berberis Vulgaris L.* and its varieties such as *Berberis Vulgaris Var. Atropurpurea Rgl.* Inter-pretation "barberry."

3. Every person who plants, cultivates or sells the shrub barberry shall be guilty of an offence and shall incur a penalty not exceeding \$20 recoverable under *The Summary Convictions Act*. Penalty for planting. Rev. Stat., c. 121.

4. The council of any municipality, upon receipt of a petition signed by at least twenty ratepayers of such municipality or of a municipality immediately adjoining, shall by resolution direct the weed inspector to cause all barberry in the municipality to be destroyed. Action by council.

5. After the passing of such resolution the weed inspector shall notify the owner of land on which barberry is found to be growing to destroy the same and upon his neglect or refusal so to do within one month after service of notice in writing requiring such removal and destruction, the weed inspector may enter upon such land and remove and destroy all barberry plants found thereon. Notice to owner and action by inspector.

(a) In the case of non-resident land the mailing of the notice by registered post addressed to the owner at his place of residence as shown by the assessment roll shall be sufficient.

6.—(1) The inspector shall keep an account of the expenses incurred by him in carrying out the provisions of this Act with respect to each parcel of land entered upon, and shall deliver a statement of such expenses, describing the land entered upon Account of expenses and payment thereof.

and verified by oath, to the owner or occupant of resident land with a notice requiring him to pay the amount.

(a) In the case of a railway company, the statement and notice may be given to a station master of the company resident in the municipality, or if there is no station master resident therein, to a station master resident in an adjoining or neighbouring local municipality.

Appeal  
to council.

(2) If the owner or occupant deems such expenses excessive, he may appeal to the council within thirty days after delivery of such statement, and the council shall determine the matter in dispute.

Collection  
of expenses.

(3) If the owner or occupant refuses or neglects to pay such expenses within thirty days after request for payment, the claim shall be presented to the council, and the council shall audit the same and allow it, or so much thereof as may be deemed just, and order the same to be paid from the general funds of the corporation.

Non-  
resident  
land.

(4) The inspector shall also present to the council a similar statement verified by oath of the expenses incurred by him in carrying out the provisions of this Act upon any non-resident land, and the council shall audit and allow the same, or so much thereof as may be deemed just, and shall pay so much of it as has been so allowed and such amount shall be charged against said land and collected in the same manner as taxes.

Rev. Stat.,  
c. 311,  
repealed.

**7.** *The Barberry Shrub Act*, being chapter 311 of the Revised Statutes of 1927, is repealed.



Ontario.  
19 George V, 1929.

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BILL.

An Act respecting the Barberry Shrub.

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*1st Reading*

February 18th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MARTIN (Norfolk).

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Barberry Shrub.

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2. In this Act "barberry" shall mean the species *Berberis Vulgaris L.* and its varieties such as *Berberis Vulgaris Var. Atropurpurea Rgl.* Inter-pretation "barberry."

3. Every person who plants, cultivates or sells the shrub barberry shall be guilty of an offence and shall incur a penalty not exceeding \$20 recoverable under *The Summary Convictions Act*. Penalty for planting. Rev. Stat., c. 121.

4. The council of any municipality may, and upon receipt of a petition signed by at least ten ratepayers of such municipality, or of a municipality immediately adjoining, shall by resolution direct the weed inspector to cause all barberry in the municipality to be destroyed. Action by council.

5. After the passing of such resolution the weed inspector shall notify the owner of land on which barberry is found to be growing to destroy the same and upon his neglect or refusal so to do within one month after service of notice in writing requiring such removal and destruction, the weed inspector may enter upon such land and remove and destroy all barberry plants found thereon. Notice to owner and action by inspector.

(a) In the case of non-resident land the mailing of the notice by registered post addressed to the owner at his place of residence as shown by the assessment roll shall be sufficient.

6.—(1) The inspector shall keep an account of the expenses incurred by him in carrying out the provisions of this Act with respect to each parcel of land entered upon, and shall deliver a statement of such expenses, describing the land entered upon Account of expenses and payment thereof.

and verified by oath, to the owner or occupant of resident land with a notice requiring him to pay the amount.

(a) In the case of a railway company, the statement and notice may be given to a station master of the company resident in the municipality, or if there is no station master resident therein, to a station master resident in an adjoining or neighbouring local municipality.

Appeal  
to council.

(2) If the owner or occupant deems such expenses excessive, he may appeal to the council within thirty days after delivery of such statement, and the council shall determine the matter in dispute.

Collection  
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Non-  
resident  
land.

(4) The inspector shall also present to the council a similar statement verified by oath of the expenses incurred by him in carrying out the provisions of this Act upon any non-resident land, and the council shall audit and allow the same, or so much thereof as may be deemed just, and shall pay so much of it as has been so allowed and such amount shall be charged against said land and collected in the same manner as taxes.

Rev. Stat.,  
c. 311,  
repealed.

7. *The Barberry Shrub Act*, being chapter 311 of the Revised Statutes of 1927, is repealed.



Ontario.  
19 George V, 1929.

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BILL.

An Act respecting the Barberrry Shrub.

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*1st Reading*

February 18th, 1929.

*2nd Reading*

February 22nd, 1929.

*3rd Reading*

March 15th, 1929.

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MR. MARTIN (Norfolk).

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T O R O N T O :

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# BILL

An Act to amend The Public Service Works on Highways Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Service Works on Highways Act, 1929.* Short title.

2. Section 1 of *The Public Service Works on Highways Act* Rev. Stat., c. 56, s. 1, amended. is amended by striking out clauses *a* and *b* therein and substituting therefor the following:

- (a) "Appliances and works" shall mean and include "Appliances and works." poles, wires, conduits, transformers, pipes and pipe lines and any other works, structures or appliances placed on or under a highway by an operating corporation;
- (b) "Operating corporation" shall mean and include a "Operating corporation." municipal corporation or commission and a company or individual operating or using a telephone or telegraph service, or transmitting, distributing or supplying electricity or artificial or natural gas for light, heat or power and shall include The Hydro-Electric Power Commission of Ontario.

3. This Act shall come into force on the day upon which it Commencement of Act. receives the Royal Assent.

Ontario.  
19 George V, 1929.

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BILL

An Act to amend The Public Service Works  
on Highways Act.

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*1st Reading*

February 19th, 1927.

*2nd Reading*

*3rd Reading*

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MR. HENRY.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Public Service Works on Highways Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Service Works on Highways Act, 1929.* Short title.

2. Section 1 of *The Public Service Works on Highways Act* is amended by striking out clauses *a* and *b* therein and substituting therefor the following: Rev. Stat., c. 56, s. 1, cls. a, b, repealed.

(a) "Appliances and works" shall mean and include poles, wires, conduits, transformers, pipes and pipe lines and any other works, structures or appliances placed on or under a highway by an operating corporation; "Appliances and works."

(b) "Operating corporation" shall mean and include a municipal corporation or commission and a company or individual operating or using a telephone or telegraph service, or transmitting, distributing or supplying electricity or artificial or natural gas for light, heat or power and shall include The Hydro-Electric Power Commission of Ontario. "Operating corporation."

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.  
19 George V, 1929.

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BILL

An Act to amend The Public Service Works  
on Highways Act.

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*1st Reading*

February 19th, 1927.

*2nd Reading*

February 22nd, 1929.

*3rd Reading*

March 20th, 1929.

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MR. HENRY.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act respecting Contributions for Political Purposes.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Political Contributions Act, 1929.* Short title.

2. In this Act,—

Inter-pretation.

(a) "Brewer" shall, in addition to private persons and partnerships, include any incorporated company carrying on the business of a brewer within Ontario; "Brewer."

(b) "Distiller" shall, in addition to private persons and partnerships, include any incorporated company carrying on the business of a distiller within Ontario; "Distiller."

(c) "Liquor Association" shall mean and include every association, society or body of persons promoting or assisting or furthering or protecting the trade in intoxicating liquor, or any branch or part of such trade; "Liquor Association."

(d) "Public Contractor" shall mean a person who is ineligible to sit and vote as a member of the Assembly under the provisions of section 10 and clauses *a, b, c, h, i* and *k* of subsection 1 of section 2 of *The Legislative Assembly Act*. "Public Contractor."

3. Every brewer, distiller, liquor association, public contractor, bank, and insurance, trust or railway corporation which (or who) either directly or indirectly pays or contributes any sum of money or its equivalent in order to aid or promote or prevent the nomination or election of any person to the Legislative Assembly or to any other public office, or in order to aid, promote, hinder or defeat any political party, or to influence or affect the vote of the electors of the Province or Penalty for certain contributions.

any part of the Province upon any question submitted to them shall incur a penalty equal in amount to four times the amount of such payment or contribution but in no case less than \$100 and costs and where the offender is an individual in default of payment of fine and costs shall be imprisoned for a period of not more than six months, and may in addition thereto be imprisoned for not more than three months.

Liability  
of directors,  
etc.

**4.** A director, manager or officer of a corporation, and a member of an association which has been guilty of an offence under this Act shall incur the like penalty as the corporation or association and in addition thereto may in the discretion of the magistrate be imprisoned for not more than three months unless he proves to the satisfaction of the court that he was not aware of the committal of the offence against section 3 or that he did everything in his power to prevent the committal of such offence and was not a party to the same.

Receiving.

**5.** Every person who, directly or indirectly by himself or by any other person solicits or receives any payment or contribution made in violation of section 3 shall incur the penalty provided by section 3.

Aiding or  
abetting.

**6.** Every person who aids or abets the committal of any offence against sections 3 or 5 shall incur a penalty of not less than \$50 nor any more than \$500 and costs and in default of payment of fine and costs shall be imprisoned for a period of not more than one month.

Application  
of  
Rev. Stat.,  
c. 121.

**7.—(1)** Subject to the provisions of subsection 2, the penalties imposed by this Act shall be recoverable by proceedings under *The Summary Convictions Act*.

Where  
offence to be  
dealt with  
under Rev.  
Stat., c. 11.

**(2)** Where the offence was committed with respect to the candidature or election of any person as a member of the Assembly for an electoral district, the offence shall be a corrupt practice within the meaning of *The Election Act* and section 75 of *The Controverted Elections Act* shall apply thereto.

Political  
associations.

**8.—(1)** No company, committee or association whether incorporated or not, the object or one of the objects of which is to aid or promote or prevent the nomination or election of any person to the Legislative Assembly or to any other public office, or to aid, promote or defeat any political party, or to influence or affect the vote of the electors of the Province or of any part of the Province upon any question submitted to them, shall solicit or receive or pay or contribute any sum of money or its equivalent for that purpose unless such association has and continues to have a president and treasurer.

(2) Every person who is a member of any such company, committee or association, not having both a president and a treasurer, shall be guilty of an offence and shall be liable on summary conviction to a penalty of \$25 for every day during which such condition has existed, and costs, and in default of payment of fine and costs, shall be imprisoned for a period of not more than one month. Penalty.

9. Every person acting individually and the president and treasurer of every such company, committee or association shall within two months after any election or vote of the electors in which such person, company, committee, or association has taken part by soliciting or receiving, paying or contributing any sum of money or its equivalent, for any purposes enumerated in section 8, prepare a detailed statement of all money or its equivalent received or paid as an election contribution and exceeding the amount or value of \$50 together with the names and addresses of all contributors, and a detailed statement of all persons to whom such payments were made, and for what purposes, and deliver such statements verified by affidavits along with the bills and vouchers relating thereto, by sending the same by registered post, addressed to the Clerk of the Crown in Chancery, Parliament Buildings, Toronto. Statement of contributions to be filed with Clerk of the Crown in Chancery.

10. Every person acting individually and every such president and treasurer who makes default in delivering such statements to the Clerk of the Crown in Chancery shall incur a penalty of \$100 per day for every day during which he so makes default and costs, and in default of payment of fine and costs shall be imprisoned for a period of not more than one month, and may, in addition thereto in the discretion of the magistrate, be imprisoned for a term not exceeding three months. Penalty for default.

11. Every person who furnishes an untrue statement to the Clerk of the Crown in Chancery shall, in addition to all other penalties, incur a penalty of \$1,000 and costs, and in default of payment of the fine shall be imprisoned for a period of not more than six months, and in addition thereto, in the discretion of the magistrate, to imprisonment for a term not exceeding six months. Making untrue returns.

12. The Clerk of the Crown in Chancery shall preserve all such statements, bills and vouchers and shall during the next six months, after they have been delivered to him, permit any voter to inspect the same on payment of a fee of fifty cents. Preservation and inspection.

13.—(1) A person who deems that an offence against this Act has been committed may apply to a judge of the Supreme Appointment of judge or officer of court to conduct inquiry.

Court by originating notice according to the practice of the Court, for an order for the appointment of a judge or officer of the Court as a commission to investigate and inquire into any charges which may be made of a violation of this Act.

Security by applicant.

(2) The judge may require the applicant to give such security as he may deem sufficient.

Powers of judge as to inquiry.

Rev. Stat., c. 20.

(3) The judge or officer holding such inquiry shall have all the powers which may be conferred upon a commissioner under *The Public Inquiries Act* and the provisions of that Act shall apply *mutatis mutandis* to the inquiry, and the judge or officer may order an award against either the complainant or the respondent.

Penalties,—  
recovery of.

(4) The penalties imposed under this Act shall be recoverable under *The Summary Convictions Act* before a police magistrate or a judge of a county or district court.

Rev. Stat., c. 10, repealed.

**14.** *The Political Contributions Act* being chapter 10 of the Revised Statutes of 1927, is repealed.









Ontario.  
19 George V, 1929.

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BILL.

An Act respecting Contributions for  
Political Purposes.

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*1st Reading*

February 19th, 1929.

*2nd Reading*

*3rd Reading*

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MR. LETHBRIDGE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act respecting Political Contributions.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Political Contributions Act, 1929*. Short title.

2. No unincorporated company or association and no incorporated company or association other than one incorporated for political purposes alone shall, directly or indirectly, contribute, loan, advance, pay, or promise or offer to pay any money or its equivalent to, or for, or in aid of any candidate at an election, or to, or for, or in aid of any political party, committee or association, or to or for or in aid of any company incorporated for political purposes, or to, or for, or in furtherance of any political purpose whatever, or for the indemnification or reimbursement of any person for moneys so used. Companies not to contribute for election purposes.

3. Every director, shareholder, officer, attorney or agent of any company or association violating the provisions of this section, or who aids, abets, advises or takes part in any such violation, and every person who asks or knowingly receives any money or its equivalent in violation of the provisions of this section shall be guilty of a corrupt practice within the meaning of *The Election Act* and shall incur a penalty of not less than \$100 nor more than \$2,000 and shall be imprisoned for a period of not less than three months nor more than twelve months. Penalty for violation of Act. Rev. Stat. c. 8.

4. *The Political Contributions Act*, being chapter 10 of the Revised Statutes of Ontario, 1927, is repealed. Rev. Stat. c. 10 repealed.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.  
An Act respecting Political Contributions.

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*1st Reading*  
February 19th, 1929.

*2nd Reading*  
February 27th, 1929.

*3rd Reading*

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MR. LETBRIDGE.

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*(Reprinted as amended by Select  
Committee.)*

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

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**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Political Contributions Act, 1929.* Short title.

**2.** No unincorporated company or association and no incorporated company or association other than one incorporated for political purposes alone shall, directly or indirectly, contribute, loan, advance, pay, or promise or offer to pay any money or its equivalent to, or for, or in aid of any candidate at an election, or to, or for, or in aid of any political party, committee or association, or to or for or in aid of any company incorporated for political purposes, or to, or for, or in furtherance of any political purpose whatever, or for the indemnification or reimbursement of any person for moneys so used. Companies not to contribute for election purposes.

**3.** Every director, shareholder, officer, attorney or agent of any company or association violating the provisions of this section, or who aids, abets, advises or takes part in any such violation, and every person who asks or knowingly receives any money or its equivalent in violation of the provisions of this section shall be guilty of a corrupt practice within the meaning of *The Election Act* and shall incur a penalty of not less than \$100 nor more than \$2,000 and shall be imprisoned for a period of not less than three months nor more than twelve months. Penalty for violation of Act. Rev. Stat. c. 8.

**4.** *The Political Contributions Act*, being chapter 10 of the Revised Statutes of Ontario, 1927, is repealed. Rev. Stat. c. 10 repealed.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act respecting Political Contributions.

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*1st Reading*  
March 27th, 1929.

*2nd Reading*  
March 27th, 1929.

*3rd Reading*  
March 28th, 1929.

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MR. PRICE.

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T O R O N T O :  
Printed by

The Printer to the King's Most Excellent Majesty



# BILL

## An Act to amend The Steam Boiler Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Steam Boiler Act, 1929*. Short title.
2. The clause lettered *b* in section 1 of *The Steam Boiler Act* is amended by striking out the words "Minister of Public Works and Highways" and inserting in lieu thereof the words, Rev. Stat., c. 308, s. 1, cl. b, amended. "Minister of Labour."
3. Section 2 of *The Steam Boiler Act* is amended by striking out the words "Minister of Public Works and Highways" Rev. Stat., c. 308, s. 2, amended. in the first and second lines, and inserting in lieu thereof the words, "Minister of Labour."
4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

19 George V, 1929.

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BILL.

An Act to amend The Steam Boiler Act.

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*1st Reading*

February 19th, 1929.

*2nd Reading*

*3rd Reading*

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MR. GODFREY.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to amend The Steam Boiler Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Steam Boiler Act, 1929*. Short title.

2. The clause lettered *b* in section 1 of *The Steam Boiler Act* is amended by striking out the words "Minister of Public Works and Highways" and inserting in lieu thereof the words, "Minister of Labour."  
Rev. Stat., c. 308, s. 1, cl. b, amended.

3. Section 2 of *The Steam Boiler Act* is amended by striking out the words "Minister of Public Works and Highways" in the first and second lines, and inserting in lieu thereof the words, "Minister of Labour."  
Rev. Stat., c. 308, s. 2, amended.

4. This Act shall come into force on the day upon which it receives the Royal Assent.  
Commencement of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Steam Boiler Act.

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*1st Reading*

February 19th, 1929.

*2nd Reading*

February 22nd, 1929.

*3rd Reading*

March 20th, 1929.

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MR. GODFREY.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Election Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Election Act, 1929*. Short title.

2. Section 1 of *The Election Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 8, s. 1,  
amended.

(n) "Mariner" shall mean and include any man or woman who is serving in His Majesty's naval forces of Great Britain or Canada, or is serving in any capacity on a mercantile vessel registered at a British port at the time of the issue of a writ for any provincial election. "Mariner."

3. Section 20 of *The Election Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 8, s. 20,  
amended.

(d) A mariner within the meaning of this Act.

4. *The Election Act* is amended by adding thereto the following sections: Rev. Stat.,  
c. 8,  
amended.

86a.—(1) For the purpose of giving mariners whose names are entered on the voters' list an opportunity to appoint voting proxies by whom votes may be given in certain cases,— Appoint-  
ment of  
voting  
proxy.

(a) if a mariner, whose name is entered on the voters' list in an electoral district in which an election to the Assembly is being held, shows, by his proxy, to the satisfaction of the deputy returning officer of the polling division on the voters' list of which his name is entered as a voter—

(i) that he is a mariner within the meaning of this Act, and as such is entitled to vote by proxy; and

- (ii) that his name is entered on the polling list of such subdivision,

he shall be entitled to appoint a voting proxy, and, having appointed such proxy, to vote at such election by such proxy in the following manner, but otherwise in accordance with and subject to the provisions of this Act.

When appointment may be made.

86*b*. Such proxy shall be appointed after the issue of the writ of election and shall be in the form prescribed by this Act.

Right of person voting by proxy.

86*c*. A person who, in accordance with the provisions of this Act, has appointed a proxy shall—

(*a*) be entitled to vote by such proxy; and

(*b*) be prohibited from voting otherwise than by such proxy,

until the time for which the appointment of such proxy is in force has expired.

Term of appointment.

86*d*. The appointment of such proxy shall remain in force only so long as the writ of election which is in force at the time of the appointment is made, remains in force.

Who may be appointed.

86*e*. A person shall not be appointed a voting proxy under this Act unless the person so appointed is the wife, husband, parent, brother, sister or child of the person who so appointed him, and such proxy shall be of the full age of twenty-one years and shall also be entitled to vote in the electoral district in which the mariner desires to have his or her vote recorded.

Not more than one proxy.

86*f*. A voter shall not appoint more than one person as a voting proxy to vote on his behalf in the same election.

Certificate as to probable absence.

86*g*. No proxy given by a mariner under the provisions of this Act shall be acted upon or a vote recorded thereunder unless such proxy has at the foot thereof or attached thereto a certificate from the Master of the vessel on which the mariner is serving stating that it is probable that the mariner will be absent at the time of such election and that, in the Master's opinion, it is a proper case for voting by proxy, and the proxy and the certificate may be as in Form "A" shown in the Schedule to this Act.

86*h*. A ballot paper shall not be delivered to a person who claims to vote as a voting proxy for a mariner unless he produces his appointment as a voting proxy to the deputy returning officer with the necessary certificate attached thereto, as provided for by section 86*g*, and furnishes the said deputy returning officer with any necessary information in reference thereto, and the said proxy shall take an oath or declaration (Form "B") shown in the Schedule to this Act.

Proof of  
right of  
proxy to  
vote.

86*i*. The deputy returning officer shall record in the poll book the fact that such mariner voted by a proxy showing the name of the proxy, and shall file the proxy and certificate with the election papers.

Recording  
vote.

5. The Lieutenant-Governor in Council may by Order-in-Council prescribe any further or other forms that may be necessary for the purposes of this Act, and may make regulations as to the mode in which proxies may be given and generally for the purpose of carrying into effect the provisions of this Act and preserving the secrecy of voting in pursuance thereof.

Forms and  
regulations.

6. If any person,—

Offences.

- (a) who has appointed a voting proxy to vote for him, himself votes or attempts to vote at any election otherwise than by means of such voting proxy while the appointment of such voting proxy is in force;
- (b) votes or attempts to vote at any election under the authority of an appointment as a voting proxy when he knows or has reasonable grounds for supposing that such appointment has been cancelled or that the voter by whom the appointment has been issued is dead or no longer entitled to vote at that election;

that person shall be guilty of an illegal practice within the meaning of this Act, and shall incur a penalty of \$200 and shall also, on conviction, be imprisoned for a term of six months.

Penalty.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

SCHEDULE

FORM "A"

PROVINCE OF ONTARIO.

THE ELECTION ACT.

I, ..... of the ..... of ..... in the County of ..... in the Province of Ontario, being a voter entered on the Voters' List, with a right to vote at the pending Ontario Election in the Municipality of ..... in the Electoral District of ..... in the Province of Ontario, hereby nominate and appoint ..... of ..... in the County of ..... as my true and lawful attorney for me and in my name to vote at the said Election;

AND I HEREBY CERTIFY that I am a British subject, of the full age of twenty-one years, and otherwise entitled to vote at the said Election.

IN WITNESS WHEREOF I have hereunto set my hand on board the Steamship ..... this ..... day of ..... A.D. 19....

WITNESS:

}

PROVINCE OF ONTARIO.

THE ELECTION ACT.

I, ....., being the Master/Mate of the Steamship ....., registered at the Port of ..... in the Province of .....

DO CERTIFY:

(1) THAT I well know the above-named ..... who has executed the above Power of Attorney for the purpose of appointing a proxy to vote for him in the pending Ontario Election;

(2) THAT I fully believe the said ..... to be a British subject and to be entitled to vote at the said Election;

(3) THAT the said ..... is now serving on the Steamship ....., of which I am Master/Mate, and that it is not likely that he will be able to vote at his place of residence in the said Election;

(4) THAT the said Proxy was executed by the said ..... and I believe it is a proper case for voting by proxy.

IN WITNESS WHEREOF I have hereunto set my hand on the said Steamship ..... this ..... day of ..... A.D. 19....

Master/Mate



## FORM "B".

FORM OF OATH TO BE ADMINISTERED TO A PROXY VOTING  
FOR A MARINER.*(Section 86A).*

You swear—

(1) That you are a proxy for the person named by the name of . . . . .  
 . . . . . in the polling list now shown to you  
 and that the said mariner is the person executing said proxy.

(2) That the said mariner is of the full age of twenty-one years.

(3) That the said mariner is a British subject.

(4) That the said mariner is not a citizen or subject of any foreign  
 country.

(5) That the said mariner has resided within the Dominion of Canada  
 for the twelve months last past, except for temporary absences as a  
 mariner.

(6) That the said mariner has resided in the electoral district con-  
 tinuously for the two months last past, and is now actually resident or  
 domiciled therein except for such temporary absences as a mariner.

(7) That the said mariner is not disqualified from voting at this election  
 and is entitled to vote at this election and at this polling place.

(8) That you verily believe that the said mariner has not voted before  
 at this election or at any other polling place.

(9) That you verily believe that the said mariner has not received any-  
 thing or has anything been promised him directly or indirectly to induce  
 him to vote at this election or for loss of time, travelling expenses, hire of  
 conveyance or any service whatever connected with this election.

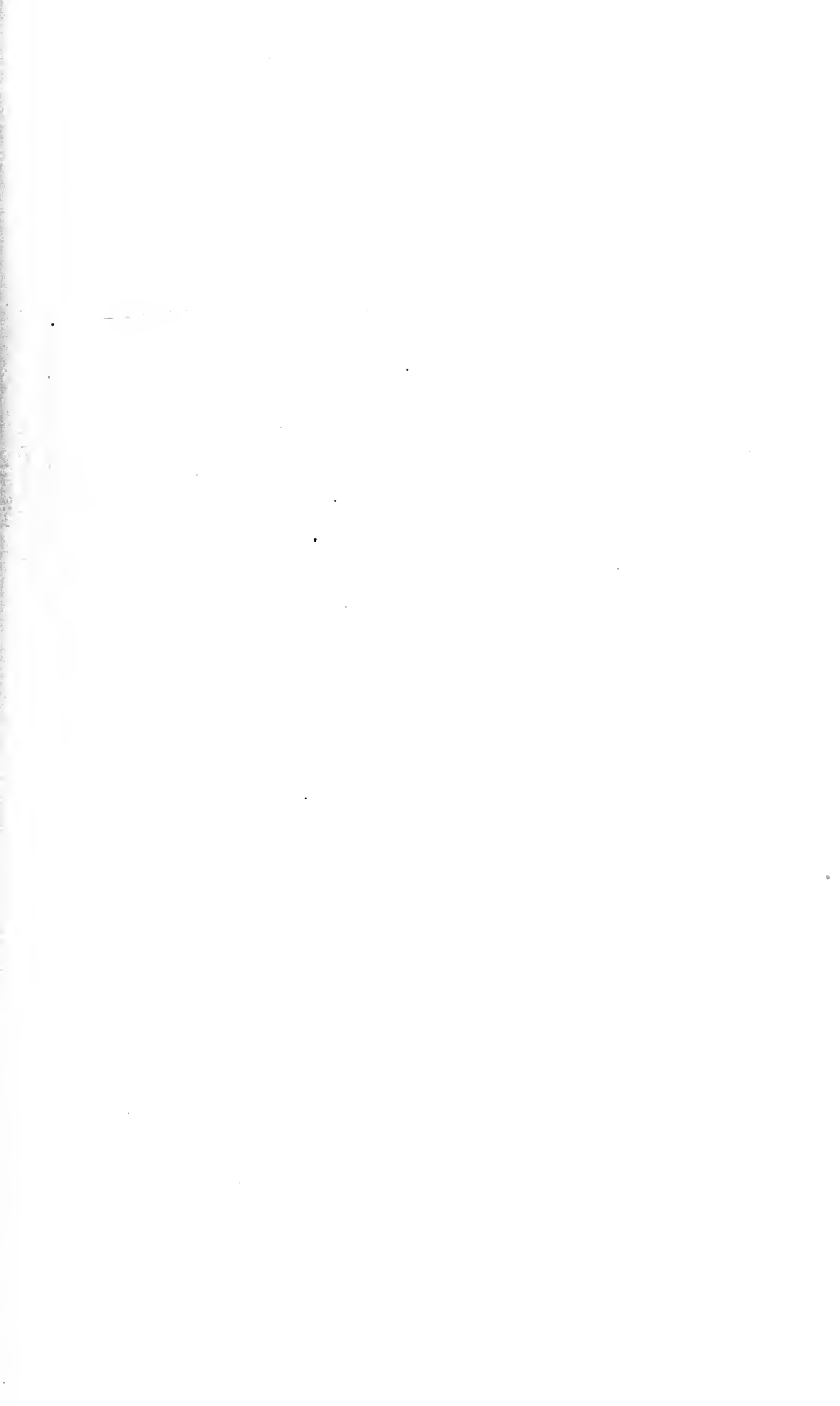
(10) That you verily believe that the said mariner has not directly or  
 indirectly promised anything to any person to induce him to vote or  
 refrain from voting at this election.

(11) That you have not been paid or promised or received anything  
 for or in connection with voting on behalf of the said mariner and that  
 you verily believe that the said mariner executed the said proxy in good  
 faith.

(12) That you are voting on his behalf in good faith at this election.

So help you God.





Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Election Act.

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*1st Reading*

February 19th, 1929.

*2nd Reading*

*3rd Reading*

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MR. FINLAYSON

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Registration of Nurses Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Registration of Nurses Act, 1929.* Short title.

**2.** The clause lettered *b* in section 1 of *The Registration of Nurses Act* is repealed and the following substituted therefor: Rev. Stat., c. 360, s. 1, cl. b, repealed.

(b) A graduate of such training school, upon the payment of the fees prescribed by the regulations, shall be entitled to registration in a register kept for that purpose under the direction of the Minister of Health and a person while so registered may be designated "Registered Nurse." Persons who may be registered.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.  
An Act to amend The Registration of  
Nurses Act.

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*1st Reading*  
February 19th, 1929.

*2nd Reading*

*3rd Reading*

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MR. GODFREY.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Registration of Nurses Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Registration of Nurses Act, 1929.* Short title.

2. The clause lettered *b* in section 1 of *The Registration of Nurses Act* is repealed and the following substituted therefor: Rev. Stat., c. 360, s. 1, cl. b, repealed.

(b) A graduate of such training school, upon the payment of the fees prescribed by the regulations, shall be entitled to registration in a register kept for that purpose under the direction of the Minister of Health and a person while so registered may be designated "Registered Nurse." Persons who may be registered.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Registration of  
Nurses Act.

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*1st Reading*

February 19th, 1929.

*2nd Reading*

February 22nd, 1929.

*3rd Reading*

March 20th, 1929.

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MR. GODFREY.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Tile Drainage Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Tile Drainage Act, 1929*. Short title.
2. Section 9 of *The Tile Drainage Act* is amended by striking out the figures "\$2,000,000" in the third line and inserting in lieu thereof the figures "\$3,000,000," so that the section will now read as follows:—
 

Rev. Stat.,  
c. 65, s. 9  
amended.
9. The Lieutenant-Governor in Council may authorize the investment of any surplus of the Consolidated Revenue Fund not exceeding in the whole at any time \$3,000,000 in the purchase of debentures issued under such by-laws in respect of which the Treasurer of Ontario shall have certified to the propriety of the investment.
 

Purchase  
of debentures out  
of Consolidated  
Revenue  
Fund.
3. Form 2 in the schedule to *The Tile Drainage Act* is amended by striking out the figures "\$7.36" where they occur in the eighth line of the form of tile drainage debenture and in the fifth line of the form of coupon respectively, and inserting in lieu thereof the figures "\$8.02."
 

Rev. Stat.,  
c. 65,  
Form 2  
amended.  
Amount of  
annual  
instalment  
payable by  
corporation.
4. This Act shall come into force on the day upon which it receives the Royal Assent.
 

Commence-  
ment of  
Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Tile Drainage Act.

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*1st Reading*

February 21st, 1929.

*2nd Reading*

*3rd Reading*

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MR. MONTEITH.

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TORONTO:

Printed by

# BILL

## An Act to amend The Succession Duty Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Succession Duty Act, 1929*. Short title.

2. Subsection 2 of section 11 of *The Succession Duty Act*, Rev. Stat., c. 26, s. 11, as amended by section 3 of *The Succession Duty Act, 1928*, subs. 2, (1928, c. 7, is further amended by striking out all the words after the word "duty" in the ninth line and substituting therefor the s. 3) amended. following words:—

"but this shall not apply to any payment of insurance money by an insurance corporation to a preferred beneficiary, as defined by subsection 2 of section 140 of *The Insurance Act*, under a contract of life insurance where the total amount so paid to such preferred beneficiary by such insurance company does not exceed \$10,000, provided such payment is not made until after the expiration of ten days from the mailing of a notice by the insurance corporation to the Treasurer of Ontario, and no objection has been taken on behalf of the Treasurer to such payment. Exception as to prohibition of transfer of property before payment of duty

3. Subsection 1 of section 16 of *The Succession Duty Act* Rev. Stat., c. 26, s. 16, is amended by inserting after the word "annuity" in the twelfth line thereof the words "or income," and by inserting subs. 1 amended. after the word "annuity" in the fifteenth line thereof the words "or income," and by inserting after word "annuitant" in the nineteenth line thereof the words "or tenant of income," and by inserting after the word "annuity" in the twenty-first line the words "or income."

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Succession Duty Act.

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*1st Reading*

February 21st, 1929.

*2nd Reading*

*3rd Reading*

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MR. MONTETH.

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TORONTO:  
Printed by  
The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Succession Duty Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Succession Duty Act, 1929*. Short title.

2. Subsection 2 of section 11 of *The Succession Duty Act*, Rev. Stat., c. 26, s. 11, subs. 2, amended. as amended by section 3 of *The Succession Duty Act, 1928*, is further amended by striking out all the words after the word "duty" in the ninth line and substituting therefor the following words:—

"but this shall not apply to any payment of insurance money by an insurance corporation to a preferred beneficiary, as defined by subsection 2 of section 140 of *The Insurance Act*, under a contract of life insurance where the total amount so paid to such preferred beneficiary by such insurance company does not exceed \$10,000, provided such payment is not made until after the expiration of ten days from the mailing of a notice by the insurance corporation to the Treasurer of Ontario, and no objection has been taken on behalf of the Treasurer to such payment. Exception as to prohibition of transfer of property before payment of duty

3. Subsection 1 of section 16 of *The Succession Duty Act* Rev. Stat., c. 26, s. 16, subs. 1, amended. as amended by section 4 of *The Succession Duty Act, 1928* is further amended by inserting after the word "annuity" in the twelfth line thereof the words "or income," and by inserting after the word "annuity" in the fifteenth line thereof the words "or income," and by inserting after the word "annuitant" in the nineteenth line thereof the words "or tenant of income," and by inserting after the word "annuity" in the twenty-first line the words "or income."

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Succession Duty Act.

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*1st Reading*

February 21st, 1929.

*2nd Reading*

February 27th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. MONTEITH.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty

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# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**i.** Section 413 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat.,  
c. 233, s. 413  
amended

5. For licensing the keepers of barber shops, hair dressing establishments, beauty parlours or other places where any business of hair cutting, hairdressing, or beauty culture is carried on for gain, and for revoking or suspending any such license for non-compliance with any regulation made by the Minister of Health for Ontario with the approval of the Lieutenant-Governor in Council under the provisions of *The Public Health Act*. Licensing  
keepers of  
barber  
shops, etc.  
Rev. Stat.,  
c. 262.

19 George V, 1929.

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BILL.

An Act to amend The Municipal Act.

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*1st Reading*

February 21st, 1929.

*2nd Reading*

*3rd Reading*

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MR. NESBITT.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty

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# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 406 of *The Municipal Act* is amended by adding thereto the following paragraph:

Rev. Stat.  
c. 233,  
s. 406,  
amended.

*Police Signal System.*

7a. For purchasing and installing apparatus, appliances and equipment for a police signal system at a cost not exceeding \$20,000 in the case of a city and \$10,000 in the case of a town, and for the issue of debentures therefor, payable in equal annual instalments of principal and interest during a period not exceeding ten years.

Police signal  
system.

(a) It shall not be necessary to obtain the assent of the electors to the by-law if it is passed by a vote of two-thirds of all the members of the council.

Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Municipal Act.

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*1st Reading*

February 21st, 1929.

*2nd Reading*

*3rd Reading*

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MR. REID.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Suburban Area Development Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Suburban Area Development Act, 1929*. Short title.

2. *The Suburban Area Development Act* is amended by adding thereto the following section: Rev. Stat. c. 237, amended.

10. Notwithstanding anything contained in this Act or in any agreement entered into under section 5, the issue of debentures and the amount of any debenture debt to be incurred for any of the purposes to which this Act relates shall at all times be in the discretion of the council of the township and the board shall not enter into any contract or bind itself in any way to the expenditure of money to be raised by the issue of debentures without the approval of the council first had and obtained. Approval of council as to issue of debentures.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Suburban Area De-  
velopment Act.

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*1st Reading*

February 21st, 1929.

*2nd Reading*

*3rd Reading*

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MR. MAHONEY.

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TORONTO :  
Printed by

# BILL

An Act to amend The Suburban Area Development Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Suburban Area Development Act, 1929.* Short title.

2. *The Suburban Area Development Act* is amended by adding thereto the following section: Rev. Stat. c. 237, amended.

10. Notwithstanding anything contained in this Act or in any agreement entered into under section 5, the issue of debentures and the amount of any debenture debt to be incurred for any of the purposes to which this Act relates shall at all times be in the discretion of the council of the township and the board shall not enter into any contract or bind itself in any way to the expenditure of money to be raised by the issue of debentures without the approval of the council first had and obtained. Approval of council as to issue of debentures.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Suburban Area Development Act.

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*1st Reading*

February 21st, 1929.

*2nd Reading*

March 4th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. MAHONEY.

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TORONTO:

Printed by

# BILL

## An Act to amend The Registry Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Registry Act, 1929.*

Short title.

2. The clause lettered *p* in section 92 of *The Registry Act* is amended by inserting after the word and figures "section 68" in the second line thereof, the figures "\$1.50."

Rev. Stat., c. 155, s. 92, cl. *p*, amended. Certificate of discharge of mortgage.

3. Section 101 of *The Registry Act* is repealed and the following substituted therefor:

Rev. Stat., c. 155, s. 101, repealed.

101.—(1) Every registrar shall be entitled to retain to his own use in each year his net income up to \$3,000.

Registrars' emoluments and percentages payable on net income.

(2) Subject to the provisions of section 104 of this Act and of section 150 of *The Land Titles Act*, every registrar shall, of the net income of each year over \$3,000, pay to the treasurer of the county, or city, for which or for part of which he is registrar, the following percentages:

(a) On the excess over \$3,000 up to \$6,000, 50 per centum;

(b) On the excess over \$6,000, 90 per centum.

4. *The Registry Act* is amended by adding thereto the following section:

Rev. Stat., c. 155, amended.

121. Where it appears by return to the Lieutenant-Governor or to any department of the Government that in any year a registrar of deeds or an officer holding the office of registrar of deeds and local master of titles has derived from the fees, emoluments and salary, if any, of his office, after deducting necessary disbursements, an income which is less than \$1,800, there may be paid on the report of the Inspector of Legal Offices, to such registrar or officer, out of the Consolidated Revenue Fund an

Additional grant in certain cases.

amount sufficient to make up the income for the year to \$1,800, if the Lieutenant-Governor in Council so directs.

Commence-  
ment of Act. **5.** This Act shall come into force on the day upon which it receives the Royal Assent.





3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Registry Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

# BILL

## An Act to amend The Registry Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Registry Act, 1929.* Short title.

2.—(1) The clause lettered *b* in section 92 of *The Registry Act* is amended by striking out the figures "\$1.60" and inserting in lieu thereof the figures "\$2.10." Rev. Stat.,  
c. 155, s. 92,  
cl. b,  
amended.

(2) The clause lettered *p* in the said section 92 is amended by inserting after the word and figures "section 68" in the second line thereof, the figures "\$1.50." Rev. Stat., c.  
155, s. 92, cl.  
p, amended.  
Certificate  
of discharge  
of  
mortgage.

3. *The Registry Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 155,  
amended.

92a. The Lieutenant-Governor in Council may from time to time amend, repeal or add to any of the clauses or items in section 92, and all the items or clauses so amended, repealed or added to shall have the same force and effect as if enacted by the Legislature. Alterations  
in registrars'  
fees.

4. Section 101 of *The Registry Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 155, s. 101,  
repealed.

101.—(1) Every registrar shall be entitled to retain to his own use in each year his net income up to \$3,000. Registrars'  
emoluments  
and per-  
centages  
payable on  
net income.

(2) Subject to the provisions of section 104 of this Act and of section 150 of *The Land Titles Act*, every registrar shall, of the net income of each year over \$3,000, pay to the treasurer of the county, or city, for which or for part of which he is registrar, the following percentages:

(a) On the excess over \$3,000 up to \$6,000, 50 per centum;

(b) On the excess over \$6,000, 90 per centum.

Rev. Stat.,  
c. 155,  
amended.

**5.** *The Registry Act* is amended by adding thereto the following section:

Additional  
grant in  
certain  
cases.

121. Where it appears by return to the Lieutenant-Governor or to any department of the Government that in any year a registrar of deeds or an officer holding the office of registrar of deeds and local master of titles has derived from the fees, emoluments and salary, if any, of his office, after deducting necessary disbursements, an income which is less than \$1,800, there may be paid on the report of the Inspector of Legal Offices, to such registrar or officer, out of the Consolidated Revenue Fund an amount sufficient to make up the income for the year to \$1,800, if the Lieutenant-Governor in Council so directs.

Commence-  
ment of Act.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.



Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Registry Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

March 28th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Administration of Justice Expenses Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Administration of Justice Expenses Act, 1929.* Short title.

**2.** Section 9 of *The Administration of Justice Expenses Act* Rev. Stat., c. 126, s. 9, repealed. is repealed.

**3.** The tariff of Crown Attorneys' fees contained in Schedule "A" to *The Administration of Justice Expenses Act* Rev. Stat., c. 126, Sched. "A," "Crown Attorneys," amended. is amended:

(a) By striking out item 4 therein and inserting in lieu thereof the following:

4. Attending court irrespective of the number of cases dealt with, per diem, \$25.

4a. For all services in addition to any item in this tariff for taking prosecution to judgment as well after as before the trial, \$5.

(b) By striking out item 12 therein and inserting in lieu thereof the following:

12. For attending police court in the city or town or village in which the Crown attorney resides in summary trials under Part XVI of the *Criminal Code* where requested in writing to attend by the police magistrate or by two justices of the peace acting under subclause vii of clause a of section 771 of the *Criminal Code*, not to exceed in any one day \$25, per case, \$10.

When out of the city, town or village in which the Crown attorney resides in addition, a per diem allowance (not including expenses), \$5.

Commence-  
ment of Act. **4.** This Act shall come into force on the day upon which it receives the Royal Assent.





Ontario.  
19 George V, 1929.

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BILL.  
An Act to amend The Administration of  
Justice Expenses Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty .

# BILL

## An Act to amend The Administration of Justice Expenses Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Administration of Justice Expenses Act, 1929.* Short title.

**2.** Section 2 of *The Administration of Justice Expenses Act* is amended by adding thereto the following clause: Rev. Stat., c. 126, s. 2, amended.

(a) The Lieutenant-Governor in Council may from time to time amend or repeal any of the items in the tariff of fees in the said schedule "A," or add thereto, and all items so amended, repealed or added shall have the same force and effect as if they had been so enacted by the Legislature. Alterations in schedule of fees.

**3.** Section 9 of *The Administration of Justice Expenses Act* is repealed. Rev. Stat., c. 126, s. 9, repealed.

**4.** The tariff of Crown Attorneys' fees contained in Schedule "A" to *The Administration of Justice Expenses Act* is amended: Rev. Stat., c. 126, Sched. "A," "Crown Attorneys," amended.

(a) By striking out item 4 therein and inserting in lieu thereof the following:

4. Attending court irrespective of the number of cases dealt with, per diem, \$25.

4a. For all services in addition to any item in this tariff for taking prosecution to judgment as well after as before the trial, \$5.

(b) By striking out item 12 therein and inserting in lieu thereof the following:

12. For attending police court in the city or town or village in which the Crown attorney resides

in summary trials under Part XVI of the *Criminal Code* where requested in writing to attend by the police magistrate or by two justices of the peace acting under subclause vii of clause a of section 771 of the *Criminal Code*, not to exceed in any one day \$25, per case, \$10.

When out of the city, town or village in which the Crown attorney resides in addition, a per diem allowance (not including expenses), \$5.

Rev. Stat., c. 126, sched. "A," items 3, 4, 10, 20, 36 and 40, repealed.

**5.** Items 3, 4, 10, 20, 36 and 40 in the tariff of fees for sheriffs in schedule "A" of *The Administration of Justice Expenses Act* are repealed and the following substituted therefor:

- 3. Summoning each grand jury for the Supreme Court or General Sessions.....\$15 00
  - 4. Summoning each petit jury for the Supreme Court, Surrogate Court, County Court or General Sessions..... 25 00
  - 10. Every annual or general return required by law or by the Government respecting the gaol or the prisoners therein..... 15 00
  - 20. Travelling in going to execute warrant or serve subpoena or in returning with a prisoner, per mile actually travelled..... 20
- (To be paid out of county funds or by the party as the case may be; where the service has not been effected the board of audit is to be satisfied that due diligence has been used.)
- 36. General supervision over the gaol (and gaol farms) and prisoners therein and the books kept in connection therewith in addition to any other allowance per quarter..... 50 00
  - 40. General fee as an allowance to cover services under any statute, rule, order-in-council or otherwise for which no fee is provided, per quarter..... 75 00

Commencement of Act. **6.** This Act shall come into force on the day upon which it receives the Royal Assent.

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Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Administration of  
Justice Expenses Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

March 28th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Crown Attorneys Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Crown Attorneys Act, 1929*. Short title.
2. Subsection 2 of section 12 of *The Crown Attorneys Act* Rev. Stat. c. 122, s. 12 subs. 2, repealed. is repealed and the following substituted therefor:
  - (2) The annual sum so fixed shall not exceed the average Commutation of fees. net income of the Crown Attorney from both offices during the next preceding five years except in the case of a Crown Attorney giving full and exclusive time to the duties of his office, in which case the amount to be fixed shall be in the discretion of the Lieutenant-Governor in Council.
3. Section 15 of *The Crown Attorneys Act* is amended by Rev. Stat. c. 122, s. 15, amended. adding thereto the following subsection:
  - (2) Any counsel fee collected from a defendant under the Crediting fees collected from defendant. provisions of *The Summary Convictions Act* shall be credited on any Crown Attorney's fees that are properly payable to him by a municipality or any department of the Provincial Government.
4. This Act shall come into force on the day upon which it Commencement of Act. receives the Royal Assent.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Crown  
Attorneys Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Crown Attorneys Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Crown Attorneys Act, 1929*. Short title
2. Subsection 2 of section 10 of *The Crown Attorneys Act* is amended by striking out the figures "\$5" in the third line and inserting in lieu thereof the figures "\$15." Rev. Stat., c. 122, s. 10, subs. 2, amended.
- 3.—(1) Subsection 2 of section 12 of *The Crown Attorneys Act* is repealed and the following substituted therefor: Rev. Stat., c. 122, s. 12, subs. 2, repealed.
  - (2) The annual sum so fixed shall not exceed the average net income of the Crown Attorney from both offices during the next preceding five years except in the case of a Crown Attorney giving full and exclusive time to the duties of his office, in which case the amount to be fixed shall be in the discretion of the Lieutenant-Governor in Council. Commutation of fees.
- (2) The said section 12 is amended by adding thereto the following subsection: Rev. Stat., c. 122, s. 12, amended.
  - (6) Notwithstanding the provisions of subsection 2 of this section, the Lieutenant-Governor in Council may adjust and add to the commutation of any Crown Attorney and clerk of the peace who has had his fees commuted on or before the 2nd day of January, 1929, having regard to the increased fees and increased exemptions allowed Crown Attorneys since the date of commutation. Fees.
4. Section 15 of *The Crown Attorneys Act* is amended by adding thereto the following subsection: Rev. Stat., c. 122, s. 15, amended.
  - (2) Any counsel fee collected from a defendant under the provisions of *The Summary Convictions Act* shall be Crediting fees collected from defendant.

credited on any Crown Attorney's fees that are properly payable to him by a municipality or any department of the Provincial Government.

Commence-  
ment of  
Act.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Crown  
Attorneys Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

March 28th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

# BILL

## An Act to amend The Public Officers' Fees Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Public Officers' Fees Act*, Short title, 1929.

**2.** Section 6 of *The Public Officers' Fees Act* is amended by inserting after the word "sheriff" in the first line the words "who is in office at the date of the passing of this Act," so that the section will now read as follows:

Rev. Stat.,  
c. 19, s. 6,  
amended.

6. Every sheriff who is in office at the date of the passing of this Act shall be entitled to retain to his own use in each year his net income up to \$6,500, but shall pay to the Treasurer of Ontario 90 per centum of the excess over that sum.

**3.** Section 7 of *The Public Officers' Fees Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 19, s. 6,  
repealed.

7.—(1) Every local registrar of the Supreme Court of Ontario, deputy clerk of the Crown, deputy registrar, county or district court clerk and registrar of the surrogate court, whether holding one or more of the above offices, and every sheriff appointed after the coming into force of this Act, shall be entitled to retain to his own use in each year his net income up to \$3,000.

Supreme  
Court,  
county court  
and surro-  
gate court  
fees.

(2) On the net income of each year over \$3,000, he shall pay to the Treasurer of Ontario the following percentages:

Percentages  
payable on  
net income.

(a) On the excess over \$3,000 up to \$3,500, 20 per centum;

(b) On the excess over \$3,500 up to \$6,000, 50 per centum;

(c) On the excess over \$6,000, 90 per centum.

Rev. Stat.,  
c. 19,  
amended.

**4.** *The Public Officers' Fees Act* is amended by adding thereto the following section:

12. Where it appears by a return to the Lieutenant-Governor or to any department of the Government that in any year a sheriff, local registrar of the Supreme Court of Ontario, deputy clerk of the Crown, deputy registrar, county or district court clerk, and registrar of the surrogate court, whether holding one or more of the above offices, has derived from the fees, emoluments and salary, if any, of his office, after deducting necessary disbursements, an income which does not exceed \$1,800, there may, on the report of the Inspector of Legal Offices, be paid to such officer out of the Consolidated Revenue Fund an amount sufficient to make up the income for the year to \$1,800, if the Lieutenant-Governor in Council so directs.

Rev. Stat.,  
c. 19, s. 8,  
subs. 1,  
amended.

**5.**—(1) Subsection 1 of section 8 of *The Public Officers' Fees Act* is amended by striking out the figures "\$2,000" in the third line and inserting in lieu thereof the figures "\$3,000."

Rev. Stat.,  
c. 19, s. 8,  
sub. 1, cl. a,  
amended.

(2) The clause lettered *a* in subsection 2 of the said section 8 is amended by striking out the figures "\$2,000" in the first line and inserting in lieu thereof the figures "\$3,000."

Commence-  
ment of Act.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.



Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Public Officers'  
Fees Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Public Officers' Fees Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Public Officers' Fees Act*, Short title.  
1929.

**2.** Section 5 of *The Public Officers' Fees Act* is amended by Rev. Stat.,  
c. 19, s. 5,  
amended striking out the figures "\$3,500" where they occur in the fourth line and inserting in lieu thereof the figures "\$4,000."

**3.** Section 6 of *The Public Officers' Fees Act* shall apply Application  
of s. 6. only to a sheriff who is in office at the date of the commencement of this Act.

**4.—(1)** Section 7 of *The Public Officers' Fees Act* is repealed Rev. Stat.,  
c. 19, s. 7,  
repealed. and the following substituted therefor:

**7.—(1)** Every local registrar of the Supreme Court of Supreme  
Court,  
county court  
and surro-  
gate court  
fees. Ontario, deputy clerk of the Crown, deputy registrar, county or district court clerk and registrar of the surrogate court, whether holding one or more of the above offices, and every sheriff shall be entitled to retain to his own use in each year his net income up to \$3,000.

**(2)** On the net income of each year over \$3,000, he Percentages  
payable on  
net income. shall pay to the Treasurer of Ontario the following percentages:

(a) On the excess over \$3,000 up to \$3,500,  
20 per centum;

(b) On the excess over \$3,500 up to \$6,000,  
50 per centum;

(c) On the excess over \$6,000, 90 per centum.

**(2)** Subsection 1 shall not apply in the case of a sheriff Application  
of subs. 1. who is in office at the date of the commencement of this Act.

Rev. Stat.,  
c. 19, s. 8,  
subs. 1,  
amended.

**5.**—(1) Subsection 1 of section 8 of *The Public Officers' Fees Act* is amended by striking out the figures "\$2,000" in the third line and inserting in lieu thereof the figures "\$3,000."

Rev. Stat.,  
c. 19, s. 8,  
subs. 2, cl. a,  
amended.

(2) The clause lettered *a* in subsection 2 of the said section 8 is amended by striking out the figures "\$2,000" in the first line and inserting in lieu thereof the figures "\$3,000."

Rev. Stat.,  
c. 19,  
amended.

**6.** *The Public Officers' Fees Act* is amended by adding thereto the following section:

Minimum  
salary for  
certain  
officers.

12. Where it appears by a return to the Lieutenant-Governor or to any department of the Government that in any year a sheriff, local registrar of the Supreme Court of Ontario, deputy clerk of the Crown, deputy registrar, county or district court clerk, and registrar of the surrogate court, whether holding one or more of the above offices, has derived from the fees, emoluments and salary, if any, of his office, after deducting necessary disbursements, an income which does not exceed \$1,800, there may, on the report of the Inspector of Legal Offices, be paid to such officer out of the Consolidated Revenue Fund an amount sufficient to make up the income for the year to \$1,800, if the Lieutenant-Governor in Council so directs.

Commence-  
ment of Act.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend 'The Public Officers'  
Fees Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

March 28th, 1929.

*3rd Reading*

March 28th, 1929.

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Mr. PRICE.

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TORONTO :

Printed by

The Printer to the Queen's Most Excellent Majesty

# BILL

## An Act to amend The Division Courts Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Division Courts Act, 1929*. Short title.
- 2.—(1) Subsection 4 of section 137 of *The Division Courts Act* is repealed. Rev. Stat. c. 95, s. 137, subs. 4 repealed.
- (2) Subsection 5 of the said section 137 is amended by striking out the words "other than those provided for by subsection 4" in the first and second lines, so that the subsection will now read as follows: Rev. Stat. c. 95, s. 137, subs. 5 amended.
- (5) In the case of cities and towns separated from the county, the amounts paid in by the clerks and the amount paid by the county treasurer to the clerks for jury fees shall be taken into account in settling the proportion of the charges to be paid by the city or town towards the cost of administration of justice. Proportion of charges to be paid by cities and towns.
3. Section 182 of *The Division Courts Act* is amended by adding thereto the following subsection: Rev. Stat. c. 95, s. 182, amended.
- (1a) Where a judgment debtor resides or carries on business within the limits of a city where there are two or more division courts having territorial jurisdiction within the limits of such city, a judgment summons may issue out of any such courts in which the judgment has been recovered or in which a transcript of judgment has been entered. Judgment summons,—issue of.
4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Division Courts Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Division Courts Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Division Courts Act, 1929*. Short title.

2.—(1) Subsection 4 of section 137 of *The Division Courts Act* is repealed. Rev. Stat. c. 95, s. 137, subs. 4 repealed.

(2) Subsection 5 of the said section 137 is amended by striking out the words "other than those provided for by subsection 4" in the first and second lines, so that the subsection will now read as follows: Rev. Stat. c. 95, s. 137, subs. 5 amended.

(5) In the case of cities and towns separated from the county, the amounts paid in by the clerks and the amount paid by the county treasurer to the clerks for jury fees shall be taken into account in settling the proportion of the charges to be paid by the city or town towards the cost of administration of justice. Proportion of charges to be paid by cities and towns.

3. Section 182 of *The Division Courts Act* is amended by adding thereto the following subsection: Rev. Stat. c. 95, s. 182, amended.

(1a) Where a judgment debtor resides or carries on business within the limits of a city where there are two or more division courts having territorial jurisdiction within the limits of such city, a judgment summons may issue out of any such courts in which the judgment has been recovered or in which a transcript of judgment has been entered. Judgment summons,—issue of.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Division Courts Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

February 27th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. PRICE.

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# BILL

## An Act to amend The Summary Convictions Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Summary Convictions Act*, Short title.  
1929.

**2.** Subsections 1 and 2 of section 5 of *The Summary Convictions Act* are amended by striking out the words "but not including any allowance for the fees of counsel or solicitor" where they occur at the end of each of the said subsections respectively. Rev. Stat., c. 121, s. 5, subss. 1, 2, amended.

**3.** Section 5 of *The Summary Convictions Act* is amended by adding thereto the following subsection: Rev. Stat., c. 121, s. 5, amended.

(5) The costs awarded by the justice to the prosecutor or complainant or to the defendant, as the case may be, may include a counsel fee of such an amount as the justice may deem reasonable but not exceeding \$10. Counsel fee.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Summary  
Convictions Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

February 27th, 1929.

*3rd Reading*

March 26th, 1929.

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MR. PRICE.

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# BILL

## An Act to amend The Sheriffs' Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** This Act may be cited as *The Sheriffs' Act, 1929.* Short title.
- 2.** Section 22 of *The Sheriffs' Act* is repealed. Rev. Stat.,  
c. 18, s. 22,  
repealed.
- 3.** Section 40 of *The Sheriffs' Act* is repealed. (*See provisions in Public Officers' Fees Act, 1929.*) Rev. Stat.,  
c. 18, s. 40,  
repealed.
- 4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Sheriffs' Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the Queen's Most Excellent Majesty.

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# BILL

## An Act to amend The Sheriffs' Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Sheriffs' Act, 1929.* Short title.
2. Section 22 of *The Sheriffs' Act* is repealed. Rev. Stat.,  
c. 18, s. 22,  
repealed.
3. Section 40 of *The Sheriffs' Act* is repealed. (*See provisions in Public Officers' Fees Act, 1929.*) Rev. Stat.,  
c. 18, s. 40,  
repealed.
4. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

19 George V, 1929.

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BILL.

An Act to amend The Sheriffs' Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

February 27th, 1929.

*3rd Reading*

March 26th, 1929.

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MR. PRICE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Execution Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Execution Act, 1929*. Short title.

2. Subsection 1 of section 9 of *The Execution Act* is amended by striking out the words, "but subject to the provisions of *The Bills of Sale and Chattel Mortgage Act*," in the fourth and fifth lines thereof, and inserting in lieu thereof, "but save as to bills of sale and chattel mortgages," so that the section will now read as follows: Rev. Stat., c. 112, s. 9, subs 1, amended. From what date binding.

9.—(1) Subject to the provisions of *The Land Titles Act*, a writ of execution shall bind the goods and lands against which it is issued from the time of the delivery thereof to the sheriff for execution, but save as to bills of sale and chattel mortgages no writ of execution against goods shall prejudice the title to such goods acquired by any person in good faith and for valuable consideration unless such person had, at the time when he acquired his title, notice that such writ or any other writ by virtue of which the goods of the execution debtor might be seized or attached had been delivered to the sheriff and remains in his hands unexecuted.

3. Subsection 2 of section 12 of *The Execution Act* is amended by adding at the end thereof the following words, "or where a share register is kept," so that the section will now read as follows: Rev. Stat., c. 112, s. 12, subs. 2, amended.

(2) Such seizure may be made and notice given by the sheriff where the bank or company has within his bailiwick a place at which service of process may be made, or where a share register is kept. Seizure of shares in bank, etc.

4. Section 19 of *The Execution Act* is amended by adding thereto the following subsections: Rev. Stat., c. 112, s. 19, amended.

Book debts  
and choses in  
action.

- (2) The sheriff may seize any book debts and other choses in action of the execution debtor and may sue in his own name for the recovery of the moneys payable in respect thereto.

Sale of same  
by sheriff

- (3) If it appears to the sheriff that an attempt to collect the book debts, choses in action or the securities for the money, referred to in subsections 1 and 2 of this section, would be less beneficial to the creditors than a sale thereof, the sheriff may proceed to sell such book debts, choses in action and securities by public auction in the same way as the debtor's goods may be sold when taken in execution.

Rev. Stat.,  
c. 112, s. 15,  
amended.

**5.** Section 15 of *The Execution Act* is amended by adding thereto the following subsection:

Seizure and  
sale of  
shares in  
private  
company.

- (2) If a sheriff seizes the shares of an execution debtor in a private company he must first offer them for sale to the other shareholders or any one of them in such private company, and if none of them will purchase the shares for a reasonable price the sheriff may then offer the debtor's interest therein for sale to the public generally and sell and convey to the highest bidder.

Commence-  
ment of Act.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.





Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Execution Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Execution Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Execution Act, 1929*. Short title.

2. Subsection 1 of section 9 of *The Execution Act* is amended by striking out the words, "but subject to the provisions of *The Bills of Sale and Chattel Mortgage Act*," in the fourth and fifth lines thereof, and inserting in lieu thereof, "but save as to bills of sale and chattel mortgages," so that the subsection will now read as follows: Rev. Stat., c. 112, s. 9, subs 1, amended. From what date binding.

- (1) Subject to the provisions of *The Land Titles Act*, a writ of execution shall bind the goods and lands against which it is issued from the time of the delivery thereof to the sheriff for execution, but save as to bills of sale and chattel mortgages no writ of execution against goods shall prejudice the title to such goods acquired by any person in good faith and for valuable consideration unless such person had, at the time when he acquired his title, notice that such writ or any other writ by virtue of which the goods of the execution debtor might be seized or attached had been delivered to the sheriff and remains in his hands unexecuted.

3. Subsection 2 of section 12 of *The Execution Act* is amended by adding at the end thereof the following words, "or where a share register is kept," so that the subsection will now read as follows: Rev. Stat., c. 112, s. 12, subs. 2, amended.

- (2) Such seizure may be made and notice given by the sheriff where the bank or company has within his bailiwick a place at which service of process may be made, or where a share register is kept. Seizure of shares in bank, etc.

4. Section 19 of *The Execution Act* is amended by adding thereto the following subsections: Rev. Stat., c. 112, s. 19, amended.

Book debts  
and choses in  
action.

- (2) The sheriff may seize any book debts and other choses in action of the execution debtor **and may** sue in his own name for the recovery of the moneys payable in respect thereto.

Sale of same  
by sheriff

- (3) If it appears to the sheriff that an attempt to collect the book debts, choses in action or the securities for the money, referred to in subsections 1 and 2 of this section, would be less beneficial to the creditors than a sale thereof, the sheriff may proceed to sell such book debts, choses in action and securities by public auction in the same way as the debtor's goods may be sold when taken in execution.

Rev. Stat.,  
c. 112, s. 15,  
amended.

- 5.** Section 15 of *The Execution Act* is amended by adding thereto the following subsection:

Seizure and  
sale of  
shares in  
private  
company.

- (2) If a sheriff seizes the shares of an execution debtor in a private company he shall first offer them for sale to the other shareholders or any one of them in such private company, and if none of them will purchase the shares for a reasonable price the sheriff may then offer the debtor's interest therein for sale to the public generally and sell and convey to the highest bidder.

Commence-  
ment of Act.

- 6.** This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Execution Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

February 27th, 1929.

*3rd Reading*

March 26th, 1929.

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MR. PRICE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Jurors' Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Jurors' Act, 1929.* Short title.

2. Section 80 of *The Jurors' Act* is amended by adding at the end thereof the words: "(see Consolidated Rules of Practice 1913 Tariff C. Item 6)." Rev. Stat. c. 96, s. 80, amended.

3. Section 101 of *The Jurors' Act* is amended by striking out in Item 4, the figures ".15," and inserting in lieu thereof the figures, ".20," and by adding the following items: Rev. Stat. c. 96, s. 101, amended.

- 9. For every notice to jury not to attend, sec. 62 (7).....\$ 25
- 10. Attending, locking up or feeding petit juries, or taking grand jurors to inspect institutions (exclusive of disbursements). For each jury . . . 4 00
- 11. For each daily checking of jury panel (section 91)..... 1 00
- 12. For certifying and returning list of jury panel to treasurer (sec. 91)..... 1 00
- 13. When sheriffs act as county selector of juries per diem (sec. 99)..... 4 00

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

19 George V, 1929.

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BILL.

An Act to amend The Jurors' Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Presqu'ile Park Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Presqu'ile Park Act, 1929*. Short title.
2. *The Presqu'ile Park Act* is amended by adding thereto the following section: Rev. Stat., c. 85, amended.
  29. The Lieutenant-Governor in Council may add to Presqu'ile Park any adjacent tract of land which is the property of the Crown. Adding to Park.
3. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-ment of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Presqu'ile Park Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. FINLAYSON.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to amend The Presqu'ile Park Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Presqu'ile Park Act, 1929*. Short title.
2. *The Presqu'ile Park Act* is amended by adding thereto the following section: Rev. Stat., c. 85, amended.
  29. The Lieutenant-Governor in Council may add to Presqu'ile Park any adjacent tract of land which is the property of the Crown. Adding to Park.
3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Presqu'ile Park Act.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

February 27th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. FINLAYSON.

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TORONTO:  
Printed by

The Printer to the King's Most Excellent Majesty

# BILL

## An Act respecting the Boundary Between the Provinces of Ontario and Manitoba.

**W**HEREAS by *The British North America Act, 1871*, it is Preamble. provided that "The Parliament of Canada may from time to time with the consent of the Legislature of any Province of the said Dominion, increase, diminish or otherwise alter the limits of such Province"; and whereas the inter-provincial boundary between the Provinces of Ontario and Manitoba has been surveyed and marked on the ground by commissioners duly appointed for that purpose, from the northwest angle of the Lake of the Woods northerly to the twelfth base line of the system of Dominion Land Surveys, in accordance with the descriptions contained in the schedule to the Act of the Imperial Parliament known as *The Canada (Ontario Boundary) Act, 1889*, and in *The Ontario Boundaries Extension Act (2 Geo. V, chapter 40, Dom.)*; and whereas it is desirable that the boundary so surveyed and marked on the ground shall be accepted and confirmed as the true and unalterable boundary between the Provinces of Ontario and Manitoba;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario and Manitoba* Short title. *Boundary Line Act, 1929.*

**2.** In case the Legislature of the Province of Manitoba Declaration of consent as to boundary. consents thereto, the Legislature of the Province of Ontario hereby consents that the Parliament of Canada may declare that the boundary line surveyed and marked on the ground, and more particularly described in the schedule to this Act, by the Commission appointed in 1897 to delimit the boundary between the Provinces of Ontario and Manitoba from the Lake of the Woods to the Winnipeg River, consisting of Elihu Stewart, D.L.S., representing the Dominion of Canada, and B. J. Saunders, O.L.S., representing the Province of Ontario, and by the Commission appointed in 1921 to delimit

the boundary between the Provinces of Ontario and Manitoba from the Winnipeg River northerly, consisting of the Surveyor-General of Dominion lands, representing the Dominion of Canada, and the Director of Surveys for Ontario, representing the Province of Ontario, shall be the boundary line between this Province and the Province of Manitoba, although the limits of the Province may be thereby increased, diminished or otherwise altered, and thereupon in so far as the Legislature of the Province of Ontario has power so to enact the boundary line between the Province of Ontario and the Province of Manitoba shall be as described in the said schedule.

## SCHEDULE

Description by metes and bounds of the surveyed portions of the western boundary of the Province of Ontario.

Commencing at the most northerly point on the International Boundary between Canada and the United States at the northwest angle of the Lake of the Woods, as established by Dr. Tiarks and David Thompson under the direction of the Commissioners appointed under Article VII of the Treaty of Peace and Amity between His Britannic Majesty and the United States of America signed at Ghent the 24th December, 1814, and confirmed by Article II of the Ashburton Treaty of 1842, said most northerly point being styled the Initial Point on the official plan of survey of the boundary between the Provinces of Ontario and Manitoba from Lake of the Woods to Winnipeg River, which said Initial Point may be more particularly known and described as being seventy-two chains and fifty links, more or less, due north of the most northerly point on the International Boundary at the northwest angle of the Lake of the Woods as determined by Article I of the Treaty between His Britannic Majesty in respect of the Dominion of Canada and the United States for the Further Demarcation of the Boundary between Canada and the United States, signed at Washington on February 24th, 1925, which said Initial Point is also one hundred and fifty chains and one link, more or less, due north from an iron post extending four feet above ground and planted about five chains northerly from the north bank of the Northwest Angle River, bearing the following inscriptions:—"October 20th, 1818" on the south side, and on the north side the words "convention of London" said post having been planted by the International Boundary Commissioners in 1872 to mark the boundary between the Dominion of Canada and the United States of America; which said Initial Point is also one hundred and ten chains and sixty-two links, more or less, due north from an iron post extending four feet above the ground bearing similar inscriptions and planted by the same authority as the above mentioned post.

Thence from said Initial Point due north along the boundary between the Provinces of Ontario and Manitoba as marked on the ground by the Commissioners referred to in the Act to which this description is a Schedule, a distance of two hundred and thirty-eight miles, thirteen chains and twenty-eight links, more or less, to a point at the centre of the road allowance on the north side of the twelfth Base Line of the System of Dominion Land Surveys, said point being thirty chains and fifty-seven links, due north from a concrete monument on said Boundary, which said monument is about three feet high above the ground and bears the following inscriptions: on the east side "No. 218 Ontario" and on the west side "No. 218 Manitoba," said Boundary from the Initial Point to the Winnipeg River being marked at intervals of approximately one mile in length by iron posts and mounds, each post bearing the number corresponding to the number of miles which it is distant from said Initial Point on the south side, the letters "MAN" for Manitoba on the west side and the letters "ONT" for Ontario on the east side, and from the Winnipeg River northerly the said Boundary being marked at intervals of approximately six miles in length by concrete monuments bearing brass plates on which are the following inscriptions: On the east side, the number of the monument and the word "ONTARIO" and on the west side the number of the monument and the word "MANITOBA," said boundary from the Winnipeg River northerly being also marked at intervals of approximately one mile in length with special posts and mounds, the posts bearing the inscriptions "Interprovincial Boundary" "Ontario-Manitoba," each post having also marked on it the number of the monument, the number of the bench mark and the year of the survey.

That part of the said Boundary which lies between the Lake of the Woods and Winnipeg River is shown on the official plan of the survey of said Boundary, dated 30th April, 1898, and signed by Elihu Stewart, D.L.S., and B. J. Saunders, O.L.S. The Commissioners appointed in 1897, and that part of said Boundary lying between the Winnipeg River and the twelfth Base Line aforesaid being shown on a series of sixteen plans of survey published in atlas form in 1925 and signed by the Surveyor-

General of Dominion Lands, and the Director of Surveys for the Province of Ontario, as the Commissioners appointed in 1921, all of which plans are of record in the Department of the Interior at Ottawa, in the Department of Public Works at Winnipeg and the Department of Lands and Forests at Toronto.









Ontario.  
19 George V, 1929.

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BILL.

An Act respecting the Boundary Between  
the Provinces of Ontario  
and Manitoba.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. FINLAYSON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty

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# BILL

## An Act respecting the Boundary Between the Provinces of Ontario and Manitoba.

**W**HEREAS by *The British North America Act, 1871*, it is Preamble. provided that "The Parliament of Canada may from time to time with the consent of the Legislature of any Province of the said Dominion, increase, diminish or otherwise alter the limits of such Province"; and whereas the inter-provincial boundary between the Provinces of Ontario and Manitoba has been surveyed and marked on the ground by commissioners duly appointed for that purpose, from the northwest angle of the Lake of the Woods northerly to the twelfth base line of the system of Dominion Land Surveys, in accordance with the descriptions contained in the schedule to the Act of the Imperial Parliament known as *The Canada (Ontario Boundary) Act, 1889*, and in *The Ontario Boundaries Extension Act* (2 Geo. V, chapter 40, Dom.); and whereas it is desirable that the boundary so surveyed and marked on the ground shall be accepted and confirmed as the true and unalterable boundary between the Provinces of Ontario and Manitoba;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario and Manitoba* Short title. *Boundary Line Act, 1929.*

2. In case the Legislature of the Province of Manitoba Declaration of consent as to boundary. consents thereto, the Legislature of the Province of Ontario hereby consents that the Parliament of Canada may declare that the boundary line surveyed and marked on the ground, and more particularly described in the schedule to this Act, by the Commission appointed in 1897 to delimit the boundary between the Provinces of Ontario and Manitoba from the Lake of the Woods to the Winnipeg River, consisting of Elihu Stewart, D.L.S., representing the Dominion of Canada, and B. J. Saunders, O.L.S., representing the Province of Ontario, and by the Commission appointed in 1921 to delimit

the boundary between the Provinces of Ontario and Manitoba from the Winnipeg River northerly, consisting of the Surveyor-General of Dominion lands, representing the Dominion of Canada, and the Director of Surveys for Ontario, representing the Province of Ontario, shall be the boundary line between this Province and the Province of Manitoba, although the limits of the Province may be thereby increased, diminished or otherwise altered, and thereupon in so far as the Legislature of the Province of Ontario has power so to enact the boundary line between the Province of Ontario and the Province of Manitoba shall be as described in the said schedule.

## SCHEDULE

Description by metes and bounds of the surveyed portions of the western boundary of the Province of Ontario.

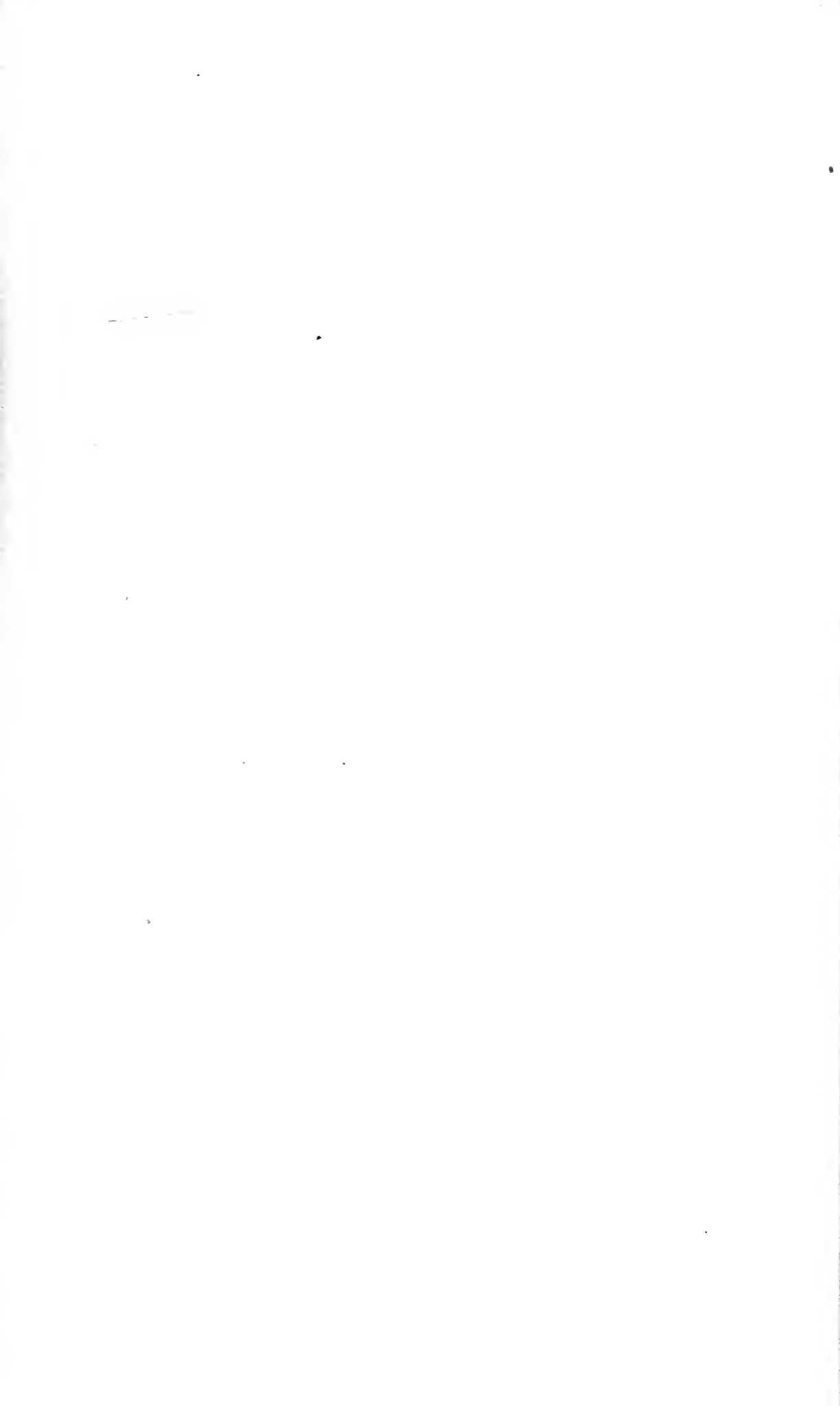
Commencing at the most northerly point on the International Boundary between Canada and the United States at the northwest angle of the Lake of the Woods, as established by Dr. Tiarks and David Thompson under the direction of the Commissioners appointed under Article VII of the Treaty of Peace and Amity between His Britannic Majesty and the United States of America signed at Ghent the 24th December, 1814, and confirmed by Article II of the Ashburton Treaty of 1842, said most northerly point being styled the Initial Point on the official plan of survey of the boundary between the Provinces of Ontario and Manitoba from Lake of the Woods to Winnipeg River, which said Initial Point may be more particularly known and described as being seventy-two chains and fifty links, more or less, due north of the most northerly point on the International Boundary at the northwest angle of the Lake of the Woods as determined by Article I of the Treaty between His Britannic Majesty in respect of the Dominion of Canada and the United States for the Further Demarcation of the Boundary between Canada and the United States, signed at Washington on February 24th, 1925, which said Initial Point is also one hundred and fifty chains and one link, more or less, due north from an iron post extending four feet above ground and planted about five chains northerly from the north bank of the Northwest Angle River, bearing the following inscriptions:—"October 20th, 1818" on the south side, and on the north side the words "convention of London" said post having been planted by the International Boundary Commissioners in 1872 to mark the boundary between the Dominion of Canada and the United States of America; which said Initial Point is also one hundred and ten chains and sixty-two links, more or less, due north from an iron post extending four feet above the ground bearing similar inscriptions and planted by the same authority as the above mentioned post.

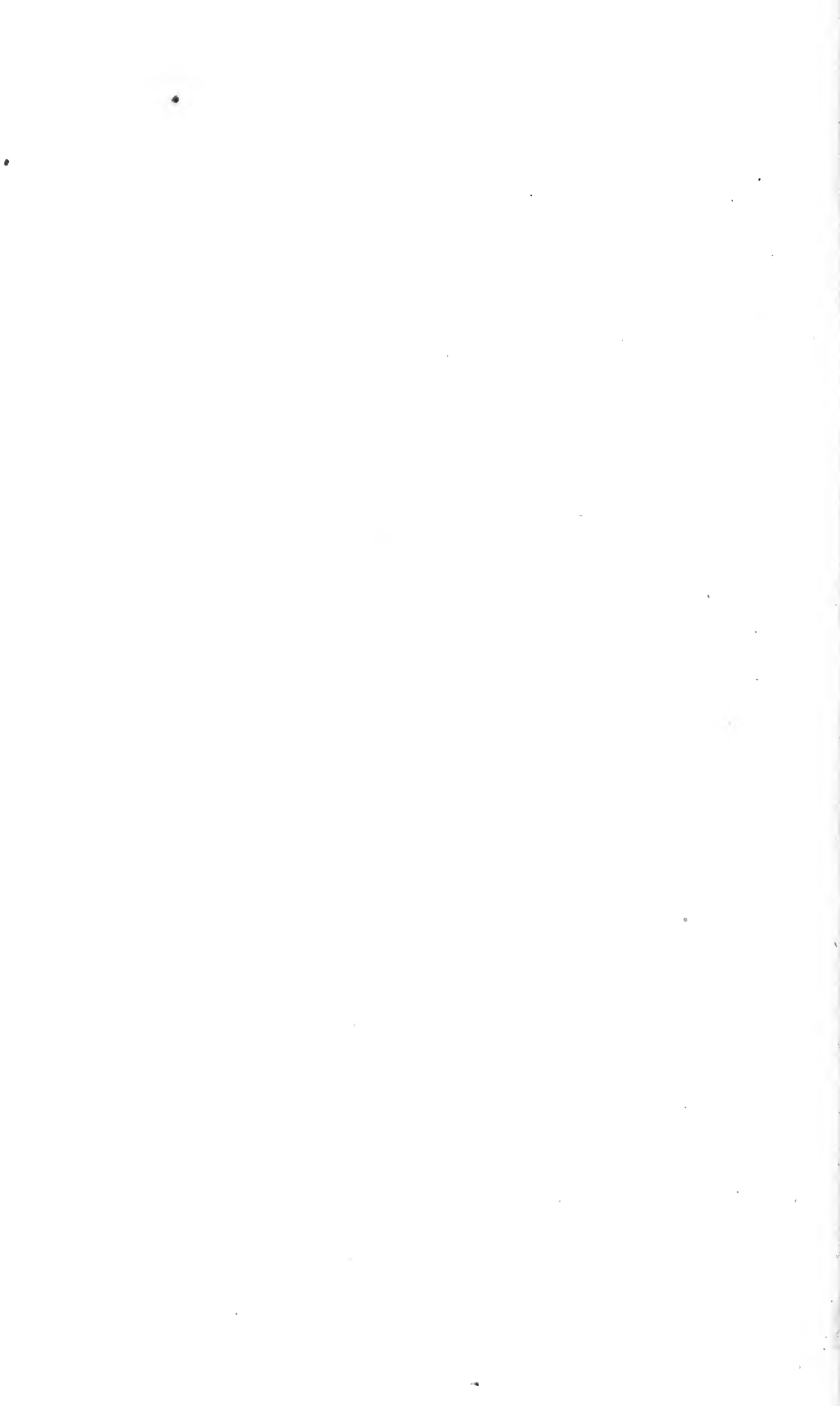
Thence from said Initial Point due north along the boundary between the Provinces of Ontario and Manitoba as marked on the ground by the Commissioners referred to in the Act to which this description is a Schedule, a distance of two hundred and thirty-eight miles, thirteen chains and twenty-eight links, more or less, to a point at the centre of the road allowance on the north side of the twelfth Base Line of the System of Dominion Land Surveys, said point being thirty chains and fifty-seven links, due north from a concrete monument on said Boundary, which said monument is about three feet high above the ground and bears the following inscriptions: on the east side "No. 218 Ontario" and on the west side "No. 218 Manitoba," said Boundary from the Initial Point to the Winnipeg River being marked at intervals of approximately one mile in length by iron posts and mounds, each post bearing the number corresponding to the number of miles which it is distant from said Initial Point on the south side, the letters "MAN" for Manitoba on the west side and the letters "ONT" for Ontario on the east side, and from the Winnipeg River northerly the said Boundary being marked at intervals of approximately six miles in length by concrete monuments bearing brass plates on which are the following inscriptions: On the east side, the number of the monument and the word "ONTARIO" and on the west side the number of the monument and the word "MANITOBA," said boundary from the Winnipeg River northerly being also marked at intervals of approximately one mile in length with special posts and mounds, the posts bearing the inscriptions "Interprovincial Boundary" "Ontario-Manitoba," each post having also marked on it the number of the monument, the number of the bench mark and the year of the survey.

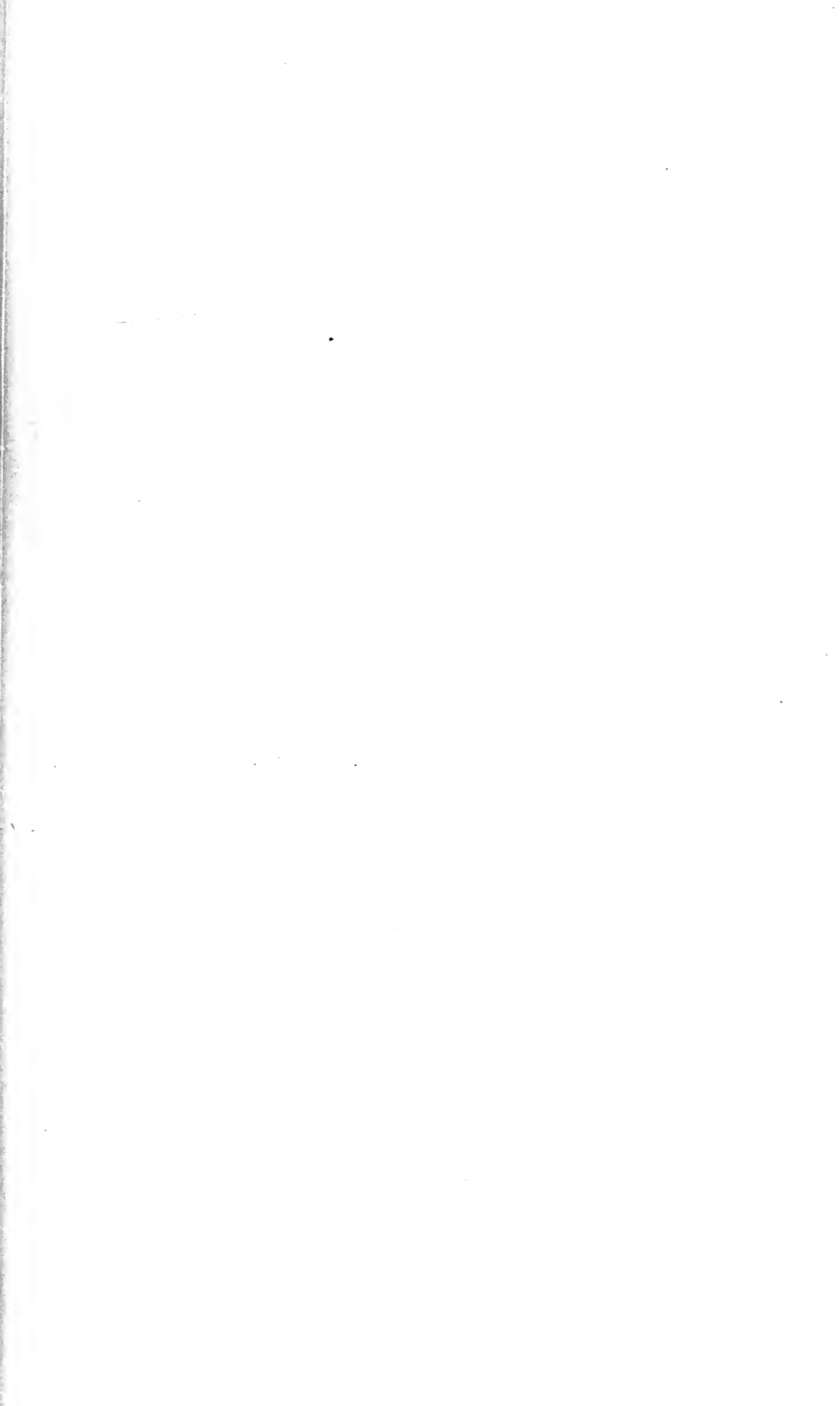
That part of the said Boundary which lies between the Lake of the Woods and Winnipeg River is shown on the official plan of the survey of said Boundary, dated 30th April, 1898, and signed by Elihu Stewart, D.L.S., and B. J. Saunders, O.L.S. The Commissioners appointed in 1897, and that part of said Boundary lying between the Winnipeg River and the twelfth Base Line aforesaid being shown on a series of sixteen plans of survey published in atlas form in 1925 and signed by the Surveyor-

General of Dominion Lands, and the Director of Surveys for the Province of Ontario, as the Commissioners appointed in 1921, all of which plans are of record in the Department of the Interior at Ottawa, in the Department of Public Works at Winnipeg and the Department of Lands and Forests at Toronto.









BILL.

An Act respecting the Boundary Between  
the Provinces of Ontario  
and Manitoba.

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*1st Reading*

February 25th, 1929.

*2nd Reading*

February 27th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. FINLAYSON.

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T O R O N T O :

Printed by

# BILL

## An Act to amend The Natural Gas Conservation Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Natural Gas Conservation Act, 1929.* Short title.

**2.** The clause lettered *d* in section 1 of *The Natural Gas Conservation Act* is amended by striking out all the words after the words "artificial gas" in the third line, and inserting in lieu thereof the words "where such mixture contains by volume not more than fifty per centum of artificial gas," so that the said clause will now read as follows:

(*d*) "Natural Gas produced in Ontario," and "Natural Gas" shall include for the purposes of this Act a mixture of natural gas and artificial gas where such mixture contains by volume not more than fifty per centum of artificial gas.

**3.** The clause lettered *e* in section 4 of *The Natural Gas Conservation Act* is amended by inserting the word "natural" before the word "gas" in the first line.

**4.** Subsections 1 and 2 of section 26 of *The Natural Gas Conservation Act* are amended by inserting the word "natural" before the word "gas" where it occurs in the seventh line of subsection 1 and the second line of subsection 2, respectively.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Natural Gas  
Conservation Act.

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*1st Reading*

February 26th, 1929.

*2nd Reading*

*3rd Reading*

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MR. McCREA.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Natural Gas Conservation Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Natural Gas Conservation Act, 1929.* Short title.

**2.** The clause lettered *d* in section 1 of *The Natural Gas Conservation Act* is amended by striking out all the words after the words "artificial gas" in the third line, and inserting in lieu thereof the words "where such mixture contains by volume not more than fifty per centum of artificial gas," so that the said clause will now read as follows:

(*d*) "Natural Gas produced in Ontario," and "Natural Gas" shall include for the purposes of this Act a mixture of natural gas and artificial gas where such mixture contains by volume not more than fifty per centum of artificial gas. "Natural Gas produced in Ontario."

**3.** The clause lettered *e* in section 4 of *The Natural Gas Conservation Act* is amended by inserting the word "natural" before the word "gas" in the first line. Rev. Stat., c. 47, s. 4, cl. e, amended.

**4.** Subsections 1 and 2 of section 26 of *The Natural Gas Conservation Act* are amended by inserting the word "natural" before the word "gas" where it occurs in the seventh line of subsection 1 and the second line of subsection 2, respectively. Rev. Stat., c. 47, s. 26, subss. 1, 2, amended.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Natural Gas  
Conservation Act.

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*1st Reading*

February 26th, 1929.

*2nd Reading*

March 4th, 1929.

*3rd Reading*

March 25th, 1929.

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MR. McCREA.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Parents' Maintenance Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Parents' Maintenance Act*, short title, 1929.

2. Subsection 1 of section 2 of *The Parents' Maintenance Act* is amended by adding thereto the following clause: Rev. Stat., c. 185, s. 2, subs. 1, amended.

- (a) Proceedings may be taken under this Act,—
  - (i) by the Public Trustee in the case of a parent who is an inmate of an Ontario Hospital; or Maintenance of parent in hospital or public institution.
  - (ii) by the governing body of any hospital, home for the aged, house of refuge or other charitable institution in which such dependent parent is an inmate; or
  - (iii) by any local authority or commission acting under any Act for the payment of pensions to aged persons under the *Old Age Pensions Act* of Canada in the case of a person applying for or in receipt of such pension, R.S.C. 1927, c. 156.

and the consent in writing of the Crown Attorney shall not be necessary before the laying of an information in any such case.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Parents' Maintenance Act.

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*1st Reading*

February 26th, 1929.

*2nd Reading*

*3rd Reading*

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MR. FERGUSON.

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TORONTO:  
Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to amend The Parents' Maintenance Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Parents' Maintenance Act*, short title, 1929.

**2.** Subsection 1 of section 2 of *The Parents' Maintenance Act* is amended by adding thereto the following clause:

Rev. Stat.,  
c. 185, s. 2,  
subs. 1,  
amended.

(a) Proceedings may be taken under this Act,—

Maintenance  
of parent  
in hospital  
or public  
institution.

(i) by the Public Trustee in the case of a parent who is an inmate of an Ontario Hospital; or

(ii) by the governing body of any hospital, home for the aged, house of refuge or other charitable institution in which such dependent parent is an inmate; or

(iii) by any local authority or commission acting under any Act for the payment of pensions to aged persons under the *Old Age Pensions Act* of Canada in the case of a person applying for or in receipt of such pension,

R.S.C. 1927,  
c. 156.

and the consent in writing of the Crown Attorney shall not be necessary before the laying of an information in any such case.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Parents' Maintenance Act.

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*1st Reading*

February 26th, 1929.

*2nd Reading*

March 18th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. FERGUSON.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Highway Traffic Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Highway Traffic Amendment Act, 1929.* Short title.

**2.** Section 8 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 8, amended.

(3) The Lieutenant-Governor in Council may make regulations providing for the temporary exemption from registration of commercial vehicles or vehicles used by non-residents doing business in Ontario. Regulations.

**3.—(1)** Section 15 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 15, amended.

(2) No vehicle shall exceed the length of 33 feet and no combination of vehicles coupled together shall exceed the total length of 65 feet. Length of vehicle or combination of vehicles.

(2) Subsection 2 of the said section is amended by striking out the word and figure "subsection 1" in the second line and substituting the words "this section" and by re-numbering it subsection 3. Rev. Stat., c. 251, s. 15, subs. 2, amended.

**4.** Section 23 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 23, amended.

(2a) The council of any municipality bordering on or adjacent to a city having a population of not less than 100,000 may by by-law approved by the Department prohibit a motor vehicle from being operated at a greater rate of speed than 20 miles per hour on certain highways or parts of highways in the municipality and every such highway shall be marked to comply with the regulations of the Department. Rate of speed on highway adjacent to cities of 100,000.

Rev. Stat.,  
c. 251, s. 26,  
subs. 3,  
amended.

5.—(1) Subsection 3 of section 26 of *The Highway Traffic Act* is amended by striking out the word “six” in the second line thereof and substituting therefor the word “eight.”

Rev. Stat.,  
c. 251, s. 29,  
subs. 1, 2  
and 3,  
repealed.

6. Subsections 1, 2 and 3 of section 29 of *The Highway Traffic Act* are repealed and the following substituted therefor:

Inter-  
pretation.

(1) In this section,—

(a) “Class ‘A’ Highway” shall mean a highway designated as such by the Minister.

(b) “Class ‘B’ Highway” shall mean a highway not designated by the Minister as a “Class ‘A’ Highway.”

Restriction  
on weight of  
load and  
vehicle on  
“Class ‘A’  
Highway.”

(2) No vehicle, object or contrivance for moving loads shall be moved upon wheels, rollers or otherwise over or upon any “Class ‘A’ Highway” having a gross weight in excess of that provided in subsection 2a unless and until a special permit has been issued pursuant to section 30.

As to weight  
upon four  
wheels and  
one axle.

(2a) (a) The gross weight of a vehicle of four wheels or less shall not exceed 20,000 pounds and the weight upon one axle shall not exceed 15,000 pounds. If axles are spaced less than 8 feet apart the weight on one axle shall not exceed 12,000 pounds.

As to weight  
upon four  
wheels with  
two driving  
axles.

(b) The gross weight of a vehicle of four wheels with two driving axles spaced more than 8 feet apart shall not exceed 24,000 pounds and the weight upon one axle shall not exceed 15,000 pounds.

As to weight  
upon six  
wheels  
or more.

(c) The gross weight of a vehicle of six wheels or more shall not exceed 27,500 pounds and the weight upon one axle shall not exceed 12,000 pounds.

As to weight  
on non-  
pneumatic  
tires.

(d) The gross weight of a vehicle equipped wholly or in part with non-pneumatic tires shall not exceed 16,000 pounds and the weight upon one axle shall not exceed 12,000 pounds.

Restrictions  
as to “Class  
‘B’ High-  
way.”

(3) No vehicle, object or contrivance for moving loads shall be moved upon wheels, rollers or otherwise over or upon any “Class ‘B’ Highway” having a gross weight in excess of that provided in subsection 3a unless and until a special permit has been issued pursuant to section 30.

(3a) (a) The gross weight of a vehicle equipped wholly with pneumatic tires shall not exceed 16,000 pounds and the weight upon one axle shall not exceed 12,000 pounds. If axles are spaced less than 8 feet apart the weight on one axle shall not exceed 10,000 pounds. As to weight with pneumatic tires.

(b) The gross weight of a vehicle equipped wholly or in part with non-pneumatic tires shall not exceed 12,000 pounds and the weight upon one axle shall not exceed 9,000 pounds. As to weight with non-pneumatic tires.

7. Subsection 1 of section 30 of *The Highway Traffic Act* is amended by striking out all the words after the words "excess of" in the fourth line and inserting in lieu thereof the words "the limits prescribed by sections 15 or 29." Rev. Stat., c. 251, s. 30, subs. 1, amended.

8. Section 57 of *The Highway Traffic Act* is amended by adding after the word "provincial" in the fourth line the words "or county," and by adding after the word "Department" in the seventh line the words "and if on a county highway to the treasurer of the county." Rev. Stat., c. 251, s. 57, amended.

Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Highway Traffic Act.

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*1st Reading*

February 26th, 1929.

*2nd Reading*

*3rd Reading*

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MR. HENRY.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Highway Traffic Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Highway Traffic Amendment Act, 1929*. Short title.

**2.** Section 8 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 8, amended.

(3) The Lieutenant-Governor in Council may make Regulations- regulations providing for the temporary exemption from registration of commercial vehicles or vehicles used by non-residents doing business in Ontario.

**3.**—(1) Section 15 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 15, amended.

(2) No vehicle shall exceed the length of 33 feet and no combination of vehicles coupled together shall exceed the total length of 65 feet. Length of vehicle or combination of vehicles.

(2) Subsection 2 of the said section is amended by striking out the word and figure "subsection 1" in the second line and substituting the words "this section" and by re-numbering it subsection 3. Rev. Stat., c. 251, s. 15, subs. 2, amended.

**4.** Section 23 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 23, amended.

(2a) The council of any municipality bordering on or adjacent to a city having a population of not less than 100,000 may by by-law approved by the Department prohibit a motor vehicle from being operated at a greater rate of speed than 20 miles per hour on certain highways or parts of highways in the municipality and every such highway shall be marked to comply with the regulations of the Department. Rate of speed on highway adjacent to cities of 100,000.

Rev. Stat.,  
c. 251, s. 26,  
subs. 3,  
amended.

5. Subsection 3 of section 26 of *The Highway Traffic Act* is amended by striking out the word "six" in the second line thereof and substituting therefor the word "eight."

Rev. Stat.,  
c. 251, s. 29,  
subs. 1, 2  
and 3,  
repealed.

6. Subsections 1, 2 and 3 of section 29 of *The Highway Traffic Act* are repealed and the following substituted therefor:

Inter-  
pretation.

(1) In this section,—

(a) "Class 'A' Highway" shall mean a highway designated as such by the Minister.

(b) "Class 'B' Highway" shall mean a highway not designated by the Minister as a "Class 'A' Highway."



Restriction  
on weight of  
vehicle and  
load on  
"Class 'A'  
Highway."

(2) No vehicle shall be moved upon wheels, rollers or otherwise over or upon any "Class 'A' Highway" having a gross weight in excess of *the following*, unless a special permit has been issued pursuant to section 30.

As to weight  
upon four  
wheels with  
two driving  
axles.

(a) The gross weight of a vehicle of four wheels with two driving axles spaced more than 8 feet apart shall not exceed 24,000 pounds and the weight upon one axle shall not exceed 15,000 pounds.

As to weight  
upon six  
wheels.

(b) The gross weight of a vehicle of six wheels  so designed that under any loading conditions the ratio of the weight on the middle axle to the weight on the rear axle remains constant, shall not exceed 30,000 pounds and the weight on one axle shall not exceed 15,000 pounds. 

As to weight  
on non-  
pneumatic  
tires.

(c) The gross weight of a vehicle equipped wholly or in part with non-pneumatic tires shall not exceed 16,000 pounds and the weight upon one axle shall not exceed 12,000 pounds.

As to weight  
of other  
vehicles.

(d) The gross weight of a vehicle *other than those mentioned in the preceding clauses* shall not exceed 20,000 pounds and the weight upon one axle shall not exceed 15,000 pounds. If axles are spaced less than 8 feet apart the weight on one axle shall not exceed 12,000 pounds.

Restrictions  
as to "Class  
'B' High-  
way."

(3) No vehicle shall be moved upon wheels, rollers or otherwise over or upon any "Class 'B' Highway"

having a gross weight in excess of *the following*, unless a special permit has been issued pursuant to section 30.

- (a) The gross weight of a vehicle shall not exceed 16,000 pounds and the weight upon one axle shall not exceed 12,000 pounds. If axles are spaced less than 8 feet apart the weight on one axle shall not exceed 10,000 pounds.

7. Subsection 1 of section 30 of *The Highway Traffic Act* is amended by striking out all the words after the words "excess of" in the fourth line and inserting in lieu thereof the words "the limits prescribed by sections 15 or 29."

8. Subsections 6 and 7 of section 31 of *The Highway Traffic Act* are repealed and the following substituted therefor:

- (6) The municipal corporation or other authority having jurisdiction over any highway, may declare the provisions of subsections 2, 3 and 4 to extend and apply to highways under its jurisdiction during any period of the year; provided, however, that a by-law of a municipality passed under the authority of this subsection, shall not take effect until it has received the approval of the Minister.

- (7) In the case of highways under the jurisdiction of the Department, the Lieutenant-Governor in Council may, upon the recommendation of the Minister, declare the provisions of subsections 2, 3 and 4 to extend and apply during any period of the year.

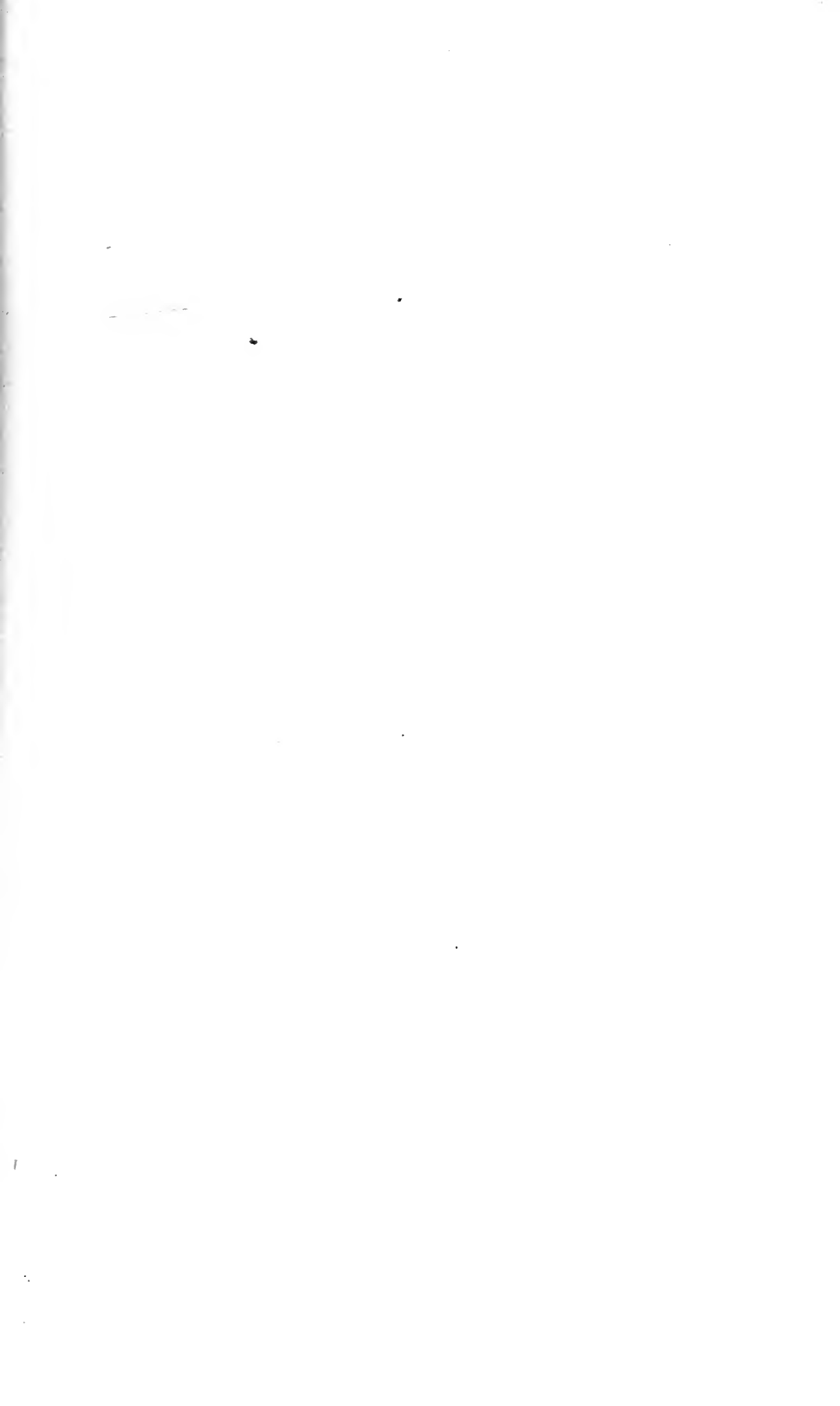
- (8) In this section "Minister" in a county shall mean the Minister of Public Works and Highways, and in a district shall mean that member of the Executive Council to whom, for the time being, the administration of *The Northern Development Act* is assigned.

9. Section 41 of *The Highway Traffic Act* is repealed and the following substituted therefor:

41. The owner of a motor vehicle shall incur the penalties provided for any violation of this Act or of any regulation made by the Lieutenant-Governor in Council, unless at the time of such violation the motor vehicle was in the possession of some person other than the owner or his chauffeur, without the owner's consent, and the driver of a motor vehicle not being the owner shall also incur the penalties provided for any such violation.

Rev. Stat.,  
c. 251, s. 57,  
amended.

**10.** Section 57 of *The Highway Traffic Act* is amended by adding after the word "provincial" in the fourth line the words "or county," and by adding after the word "Department" in the seventh line the words "and if on a county highway to the treasurer of the county."







Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Highway Traffic Act.

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*1st Reading*

February 26th, 1929.

*2nd Reading*

March 1st, 1929.

*3rd Reading*

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MR. HENRY.

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*(Reprinted with amendments for consideration in Committee of the Whole House.)*

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Highway Traffic Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Highway Traffic Amendment Act, 1929*. Short title.
2. Section 8 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 8, amended.
  - (3) The Lieutenant-Governor in Council may make regulations providing for the temporary exemption from registration of commercial vehicles or vehicles used by non-residents doing business in Ontario. Regulations.
- 3.—(1) Section 15 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 15, amended.
  - (2) No vehicle shall exceed the length of 33 feet and no combination of vehicles coupled together shall exceed the total length of 65 feet. Length of vehicle or combination of vehicles.
  - (2) Subsection 2 of the said section is amended by striking out the word and figure "subsection 1" in the first and second lines, and substituting the words "this section" and by re-numbering it subsection 3. Rev. Stat., c. 251, s. 15, subs. 2, amended.
4. Section 23 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 23, amended.
  - (2a) The council of any municipality bordering on or adjacent to a city having a population of not less than 100,000 may by by-law approved by the Department prohibit a motor vehicle from being operated at a greater rate of speed than 20 miles per hour on certain highways or parts of highways in the municipality, and every such highway shall be marked to comply with the regulations of the Department. Rate of speed on highway adjacent to cities of 100,000.

Rev. Stat.,  
c. 251, s. 26,  
subs. 3,  
amended.

5. Subsection 3 of section 26 of *The Highway Traffic Act* is amended by striking out the word "six" in the second line thereof and substituting therefor the word "eight."

Rev. Stat.,  
c. 251, s. 29,  
subs. 1, 2  
and 3,  
repealed.

6. Subsections 1, 2 and 3 of section 29 of *The Highway Traffic Act* are repealed and the following substituted therefor:

Inter-  
pretation.

(1) In this section,—

- (a) "Class 'A' Highway" shall mean a highway designated as such by the Minister.
- (b) "Class 'B' Highway" shall mean a highway not designated by the Minister as a "Class 'A' Highway."

Restriction  
on weight of  
vehicle and  
load on  
"Class 'A'  
Highway."

(2) No vehicle shall be moved upon wheels, rollers or otherwise over or upon any "Class 'A' Highway" having a gross weight in excess of the following, unless a special permit has been issued pursuant to section 30;

As to weight  
upon four  
wheels with  
two driving  
axles.

(a) The gross weight of a vehicle of four wheels with two driving axles spaced more than 8 feet apart shall not exceed 24,000 pounds and the weight upon one axle shall not exceed 15,000 pounds.

As to weight  
upon six  
wheels.

(b) The gross weight of a vehicle of six wheels so designed that under any loading conditions the ratio of the weight on the middle axle to the weight on the rear axle remains constant, shall not exceed 30,000 pounds and the weight on one axle shall not exceed 15,000 pounds.

As to weight  
on non-  
pneumatic  
tires.

(c) The gross weight of a vehicle equipped wholly or in part with non-pneumatic tires shall not exceed 16,000 pounds and the weight upon one axle shall not exceed 12,000 pounds.

As to weight  
of other  
vehicles.

(d) The gross weight of a vehicle other than those mentioned in the preceding clauses shall not exceed 20,000 pounds and the weight upon one axle shall not exceed 15,000 pounds. If axles are spaced less than 8 feet apart the weight on one axle shall not exceed 12,000 pounds.

Restrictions  
as to "Class  
'B' High-  
way."

(3) No vehicle shall be moved upon wheels, rollers or otherwise over or upon any "Class 'B' Highway"

having a gross weight in excess of the following, unless a special permit has been issued pursuant to section 30;

- (a) The gross weight of a vehicle shall not exceed 16,000 pounds and the weight upon one axle shall not exceed 12,000 pounds. If axles are spaced less than 8 feet apart the weight on one axle shall not exceed 10,000 pounds.

7. Subsection 1 of section 30 of *The Highway Traffic Act* is amended by striking out all the words after the words "excess of" in the fourth line and inserting in lieu thereof the words "the limits prescribed by sections 15 or 29."

As to weight of vehicle and load.

Rev. Stat., c. 251, s. 30, subs. 1, amended.

8. Subsections 6 and 7 of section 31 of *The Highway Traffic Act* are repealed and the following substituted therefor:

Rev. Stat., c. 251, s. 31, subs. 6 and 7, repealed.

- (6) The municipal corporation or other authority having jurisdiction over any highway, may declare the provisions of subsections 2, 3 and 4 to extend and apply to highways under its jurisdiction during any period of the year; provided, however, that a by-law of a municipality passed under the authority of this subsection, shall not take effect until it has received the approval of the Minister.

Extension of period by municipality or other authority.

- (7) In the case of highways under the jurisdiction of the Department, the Lieutenant-Governor in Council may, upon the recommendation of the Minister, declare the provisions of subsections 2, 3 and 4 to extend and apply during any period of the year.

Extension of period by Lieutenant Governor in Council.

- (8) In this section "Minister" in the case of a county shall mean the Minister of Public Works and Highways, and in the case of a district shall mean that member of the Executive Council to whom, for the time being, the administration of *The Northern Development Act* is assigned.

"Minister," meaning of.

Rev. Stat., c. 36.

9. Section 41 of *The Highway Traffic Act* is repealed and the following substituted therefor:

Rev. Stat., c. 251, s. 41, repealed.

- 41. The owner of a motor vehicle shall incur the penalties provided for any violation of this Act or of any regulation made by the Lieutenant-Governor in Council, unless at the time of such violation the motor vehicle was in the possession of some person other than the owner or his chauffeur, without the owner's consent, and the driver of a motor vehicle not being the owner shall also incur the penalties provided for any such violation.

Motor owner and driver liable for penalties.

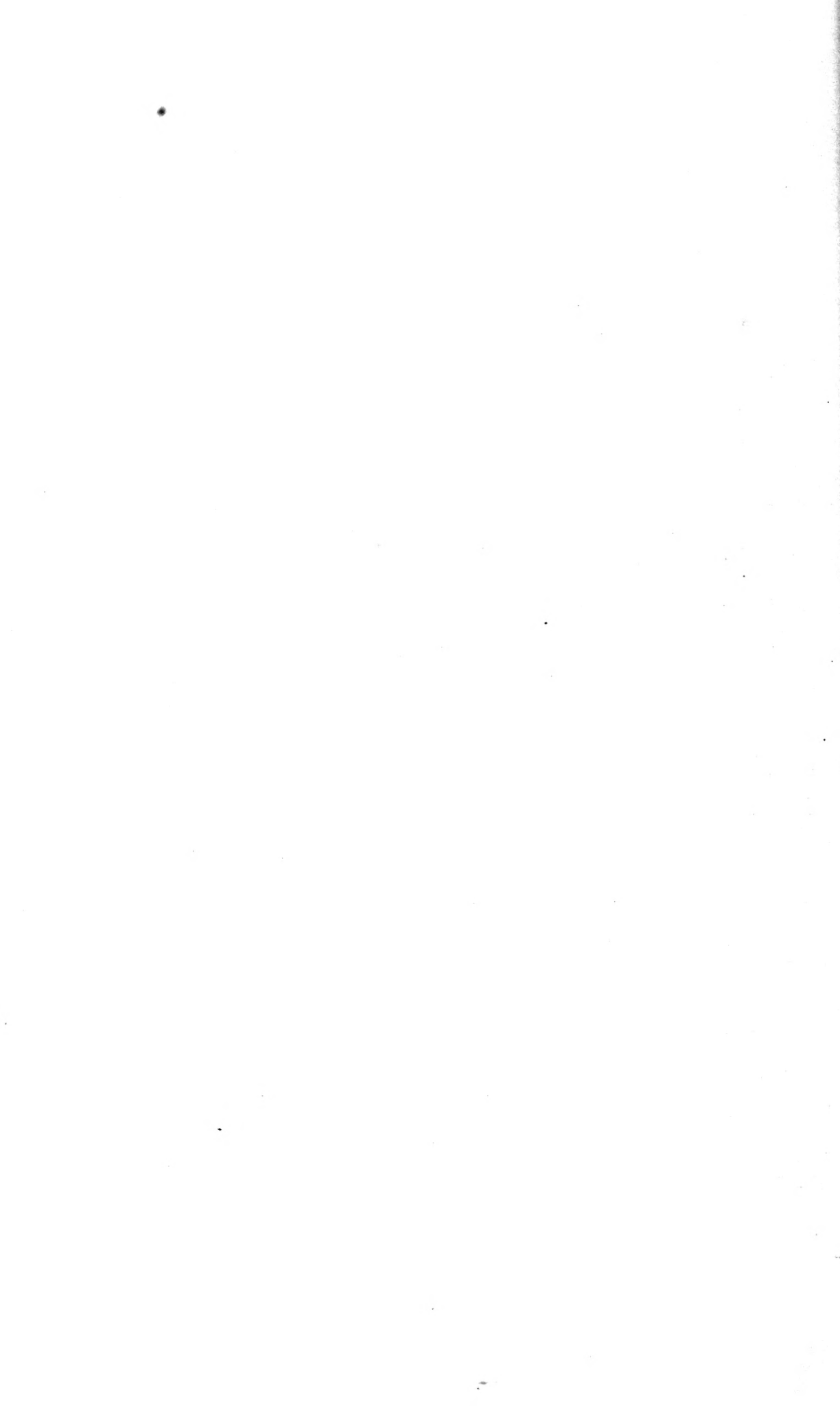
Rev. Stat.,  
c. 251, s. 57,  
amended.

**10.** Section 57 of *The Highway Traffic Act* is amended by adding after the word "provincial" in the fourth line the words "or county," and by adding after the word "Department" in the seventh line the words "and if on a county highway to the treasurer of the county."

Commence-  
ment of  
Act.

**11.** This Act shall come into force on the day upon which it receives the Royal Assent.







Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Highway Traffic Act.

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*1st Reading*

February 26th, 1929.

*2nd Reading*

March 1st, 1929.

*3rd Reading*

March 26th, 1929.

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MR. HENRY.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.



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# BILL

An Act to make further provision for Northern Ontario Development.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Northern Ontario Appropriation Act, 1929.* Short title.

**2.** In addition to the amounts provided by *The Northern and Northwestern Ontario Development Acts*, heretofore enacted, there shall be set apart out of the Consolidated Revenue Fund the sum of Five Million Dollars, and the same shall be applied for the purposes set out in the said Acts and in *The Soldiers' and Sailors' Land Settlement Acts* or any of them. \$5,000,000 appropriated for Northern Ontario Development.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario,  
19 George V, 1929.

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BILL.

An Act to make further provision for  
Northern Ontario Development.

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*1st Reading*

February 28th, 1929.

*2nd Reading*

*3rd Reading*

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MR. FINLAYSON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to make further provision for Northern Ontario Development.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Northern Ontario Appropriation Act, 1929.* Short title.

**2.** In addition to the amounts provided by *The Northern and Northwestern Ontario Development Acts*, heretofore enacted, there shall be set apart out of the Consolidated Revenue Fund the sum of Five Million Dollars, and the same shall be applied for the purposes set out in the said Acts and in *The Soldiers' and Sailors' Land Settlement Acts* or any of them. \$5,000,000 appropriated for Northern Ontario Development.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to make further provision for  
Northern Ontario Development.

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*1st Reading*

February 28th, 1929.

*2nd Reading*

March 18th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. FINLAYSON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 3 of section 414 of *The Municipal Act* is repealed and the following substituted therefor: Rev. Stat., c. 233, s. 414, par. 3, repealed.

3. For exercising the powers conferred on cities by paragraphs 2 to 6 of section 411, and for exercising the powers conferred on cities by section 412,

(a) This paragraph shall not apply to a building which was, on the day the by-law is passed, erected or used for any of the purposes enumerated in said paragraphs 2 to 6 of section 411 and in section 412, so long as it is used as it was used on that date.

2. Section 438 of *The Municipal Act* is amended by inserting in paragraph 1, after the figures "\$3,000" in the fifth line thereof, the words "and the council of every township bordering on a city having a population of not less than 100,000 may expend a sum not exceeding in any year \$2,000." Rev. Stat., c. 233, s. 438, amended.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Municipal Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

*3rd Reading*

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MR. MACAULAY.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *The Assessment Act* is amended by striking out of paragraph 2 the words "cemetery or burying ground" in the second line and also by striking out the whole of clause (a) and by adding the following paragraph: Rev. Stat., c. 238, s. 4, amended.

- 2a.—(a) Every cemetery used in connection with a place of worship.
- (b) Every cemetery not exceeding ten acres.
- (c) That part of every cemetery exceeding ten acres which has been sold or disposed of for burial lots or plots or is occupied by graves and forty per cent. of the remainder of such cemetery.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Assessment Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

*3rd Reading*

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MR. MACAULAY.

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TORONTO:

Printed by



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# BILL

## An Act to amend The Public Libraries Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 29 of *The Public Libraries Act* is amended by adding thereto the following subsection:  
Rev. Stat.,  
c. 246, s. 29,  
amended.
  
- (2) Where land is expropriated under the provisions of this section the compensation for same, if not mutually agreed upon, shall be determined by arbitration under the provisions of *The Municipal Act*.  
Compensation for ex-  
propriated  
land.  
Rev. Stat.,  
c. 233.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Public Libraries Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

*3rd Reading*

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MR. NESBITT.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Public Libraries Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 29 of *The Public Libraries Act* is amended by adding thereto the following subsection: Rev. Stat., c. 246, s. 29, amended.

(2) The provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation shall *mutatis mutandis* apply to the public library board, and to the exercise by it of the powers conferred by this section, and where any act is by any of such provisions required to be done by the clerk of a municipality, or at the office of such clerk, the like act shall be done by the secretary of the board, or at his office, as the case may be. Compensation for expropriated land. Rev. Stat., c. 233.

Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Public Libraries Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

March 6th, 1929.

*3rd Reading*

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MR. NESBITT.

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*(Reprinted as amended by the Municipal  
Committee.)*

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Public Libraries Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 29 of *The Public Libraries Act* is amended by adding thereto the following subsection: Rev. Stat., c. 246, s. 29, amended.

(2) The provisions of *The Municipal Act* as to taking land compulsorily and making compensation therefor and as to the manner of determining and paying the compensation shall *mutatis mutandis* apply to the public library board, and to the exercise by it of the powers conferred by this section, and where any act is by any of such provisions required to be done by the clerk of a municipality, or at the office of such clerk, the like act shall be done by the secretary of the board, or at his office, as the case may be. Compensation for expropriated land. Rev. Stat., c. 233.

2.—(1) Subsection 1 of section 39 of *The Public Libraries Act* is amended by striking out the words "seventy-five cents" in the fifteenth line and inserting in lieu thereof the figures "\$1." Rev. Stat., c. 246, s. 39, subs. 1, amended.

(2) Subsection 1 shall come into force on the day upon which it receives the Royal Assent. Commencement of section.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Public Libraries Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

March 6th, 1929.

*3rd Reading*

March 20th, 1929.

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Mr. NESBITT.

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TORONTO:  
Printed by

# BILL

## An Act to amend The Public Commercial Vehicle Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Commercial Vehicle Amendment Act, 1929.* Short title.

2. Sections 1 and 2 of *The Public Commercial Vehicle Act* Rev. Stat., c. 253, ss. 1 and 2, repealed. are repealed and the following substituted therefor:

1. In this Act,—

Inter-pretation

(a) "Public Commercial Vehicle" shall mean a "Public Commercial Vehicle." Public Commercial Vehicle. motor vehicle or trailer used in the business of transporting goods, wares or merchandise for compensation over any public highway and running between two or more municipalities but shall not include vehicles operated solely within the corporate limits of one urban municipality.

2. No person shall operate a public commercial vehicle Licensing public commercial vehicle. unless licensed so to do by the Department of Public Highways.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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**BILL.**

An Act to amend The Public Commercial  
Vehicle Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

*3rd Reading*

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MR. HENRY.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Local Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The clause lettered (*m*) of subsection 1 of section 2 of *The Local Improvement Act* is repealed and the following substituted therefor: Rev. Stat., c. 235, s. 2, subs. 1, cl. *m*, amended.

(*m*) Constructing retaining walls, dykes, breakwaters, groynes, cribs and other shore protection works along the banks of rivers, streams or creeks or along the shores of lakes.

2. Subsection 1 of section 29 of *The Local Improvement Act* is amended by adding after the word "street" in the sixth line thereof the following words: "or the construction of any work mentioned in clause (*m*) of subsection 1 of section 2." Rev. Stat., c. 235, s. 29, subs. 1, amended.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Local Improvement  
Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

*3rd Reading*

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MR. GRAVES.

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# BILL

An Act to amend The Local Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The clause lettered (*m*) of subsection 1 of section 2 of *The Local Improvement Act* is repealed and the following substituted therefor: Rev. Stat., c. 235, s. 2, subs. 1, cl. *m*, amended.

(*m*) Constructing retaining walls, dykes, breakwaters, groynes, cribs and other shore protection works along the banks of rivers, streams or creeks or along the shores of lakes.

**2.** Subsection 1 of section 29 of *The Local Improvement Act* is amended by adding after the word "street" in the sixth line thereof the following words: "or the construction of any work mentioned in clause (*m*) of subsection 1 of section 2." Rev. Stat., c. 235, s. 29, subs. 1, amended.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Local Improvement  
Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

March 6th, 1929.

*3rd Reading*

March 20th, 1929.

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Mr. GRAVES.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Vital Statistics Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Vital Statistics Act, 1929*. Short title.
2. Section 33 of *The Vital Statistics Act* is amended by Rev. Stat., c. 78, s. 33, amended. adding thereto the following subsection:
  - (3) In a city having a population of 100,000 or over, Sub-registrars,— appointment of. the division registrar may, with the approval of the Registrar-General, appoint such sub-registrars as may be necessary for the more convenient carrying out of the provisions of this Act with respect to the registration of deaths and for the issuing of burial permits.
3. This Act shall come into force on the day upon which Commencement of Act. it receives the Royal Assent.

19th Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Vital Statistics Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

*3rd Reading*

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MR. GODFREY.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Vital Statistics Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Vital Statistics Act, 1929*. Short title.
2. Section 33 of *The Vital Statistics Act* is amended by Rev. Stat., c. 78, s. 33, amended. adding thereto the following subsection:
  - (3) In a city having a population of 100,000 or over, Sub-registrars,— the division registrar may, with the approval of appoint- the Registrar-General, appoint such sub-registrars ment of. as may be necessary for the more convenient carrying out of the provisions of this Act with respect to the registration of deaths and for the issuing of burial permits.
3. This Act shall come into force on the day upon which Commence- it receives the Royal Assent. ment of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Vital Statistics Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

March 4th, 1929.

*3rd Reading*

March 15th, 1929.

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MR. GODFREY.

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TORONTO:

Printed by

W. D. ... ..  
D. ... ..  
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# BILL

## An Act to amend The Lunacy Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1. This Act may be cited as *The Lunacy Act, 1929*. Short title.
- 2. Section 36 of *The Lunacy Act* is amended by adding Rev. Stat.,  
c. 98, s. 36,  
amended. thereto the following subsection:
  - (6) Upon application at any time after the expiration of one year the like proceedings may be taken and the like order made as provided in section 9 in the case of a person who has been declared a lunatic.
- 3. This Act shall come into force on the day upon which Commence-  
ment of  
Act. it receives the Royal Assent.

3rd Session, 1/7th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Lunacy Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Lunacy Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Lunacy Act, 1929*. Short title.

2. Section 36 of *The Lunacy Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 98, s. 36,  
amended.

(6) Upon application at any time after the expiration of one year the like proceedings may be taken and the like order made as provided in section 9 in the case of a person who has been declared a lunatic. Discharge  
of person  
committed  
as addict.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of  
Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Lunacy Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

March 4th, 1929.

*3rd Reading*

March 15th, 1929.

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MR. PRICE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend ~~the~~ The Limitations Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 16 of *The Limitations Act* is amended by striking <sup>Rev. Stat.,</sup> out all the words after the words "public body" in the eighth <sup>c. 106, s. 16,</sup> line thereof. <sup>amended.</sup>

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Limitations Act.

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*1st Reading*

March 1st, 1929.

*2nd Reading*

*3rd Reading*

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MR. BAIRD.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to amend The Companies Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Companies Act, 1929*. Short title.

2. Subsection 3 of section 16 of *The Companies Act* is repealed. Rev. Stat.,  
c. 218, s. 16,  
subs. 3,  
repealed.

3.—(1) Subsection 1 of section 34 of *The Companies Act* is amended by inserting after the word "section" in the first line the figures and word "32 or." Rev. Stat.,  
c. 218, s. 34,  
subs. 1.,  
amended.  
Liability of  
shareholders.

(2) The amendment made by subsection 1 shall have effect as from the 10th day of May, 1928. Retroactive.

4. Section 55 of *The Companies Act* is repealed. Rev. Stat.,  
c. 218, s. 55,  
repealed.

5.—(1) Subsection 1 of section 63a of *The Companies Act* as enacted by section 7 of *The Companies Act, 1928*, is amended by inserting after the words "administration or" in the fifth line the words "document testamentary or other judicial or official." Rev. Stat.,  
c. 218, s. 63a  
(1928, c. 32,  
s. 7),  
amended.

(2) Subsection 1 of the said section 63a is further amended by inserting after the word "official" in the fourteenth line the words "instrument or an authenticated copy thereof or official." Foreign  
letters  
probate, etc.

6. Section 64a of *The Companies Act* as enacted by section 7 of *The Companies Act, 1928*, is repealed and the following substituted therefor: Rev. Stat.,  
c. 218, s. 61a  
(1928, c. 32,  
s. 7),  
repealed.

64a.—(1) Where a compromise or arrangement is proposed between a company and its shareholders or any class of them affecting the rights of shareholders or any class of them under the company's letters patent or supplementary letters patent or Meeting of  
shareholders  
to consider  
agreement  
with any  
class, etc.

by-laws, the Provincial Secretary may on application in a summary way of the company or of any shareholder order a meeting of the shareholders of the company or of any class of shareholders, as the case may be, to be summoned in such manner as the Provincial Secretary directs.

Sanctioning agreement. Confirmation.

- (2) If the shareholders or class of shareholders, as the case may be, present in person or by proxy at the meeting, by three-fourths of the shares of each class represented agree to the compromise or arrangement either as proposed or as altered or modified at such meeting, called for the purpose, such compromise or arrangement may be sanctioned by the Provincial Secretary as aforesaid, and if so sanctioned such compromise or arrangement and any reduction or increase of share capital and any provision for the allotment or disposition thereof by sale or otherwise as therein set forth, shall be confirmed by supplementary letters patent, which shall be binding on the company, and the shareholders or class of shareholders as the case may be.

Rev. Stat., c. 218, s. 137, subs. 2, amended. Auditors' report.

7. Subsection 2 of section 137 of *The Companies Act* is amended by inserting after the word "affairs" in the last line the word "and."

Rev. Stat., c. 218, amended.

8. *The Companies Act* is further amended by adding thereto the following section:

Neglect to file declaration of commencement of business.

- 152a. Where a company has commenced business without having complied with the requirements of subsection 1 of section 108 of *The Ontario Companies Act*, 1907, chapter 34, or of subsection 1 of section 112 of *The Ontario Companies Act*, 1912, chapter 31, or of subsection 1 of section 114 of *The Ontario Companies Act*, R.S.O. 1914, chapter 178, and the Lieutenant-Governor in Council is satisfied that the noncompliance was due to inadvertence, error or mistake and that before commencing business the conditions mentioned in clauses *a* and *b* of the said sections had been complied with, he may authorize the company to file the statutory declaration *nunc pro tunc*, and if it is filed within one month after the date of the Order-in-Council it shall have the same effect as if it had been filed before the company commenced business.

## INSURANCE COMPANIES

Rev. Stat., c. 218, s. 240, amended.

9. Section 240 of *The Companies Act* is amended by adding thereto the following subsection:



- (3) No letters patent granting a charter under the provisions of this Part shall be issued without the written approval of the Superintendent.

Approval of Superintendent of Insurance.

**10.**—(1) Subsection 3 of section 243 of *The Companies Act* is amended by adding at the end thereof the words “provided that where not less than \$200,000 of the authorized capital is subscribed for and paid up in cash, and a surplus of not less than fifty per centum of such subscribed capital stock has been established, the capital stock may be divided into shares of any multiple of \$5, provided that the par value shall be not less than \$10,” so that the subsection will now read as follows:

Rev. Stat., c. 218, s. 243, subs. 3, amended.

- (3) The capital stock shall be divided into shares of \$100 each; provided that where not less than \$200,000 of the authorized capital is subscribed for and paid up in cash, and a surplus of not less than fifty per centum of such subscribed capital stock has been established, the capital stock may be divided into shares of any multiple of \$5, provided that the par value shall be not less than \$10.

Par value of shares in insurance companies.

(2) The said section 243 is further amended by adding thereto the following subsections:

*Ib.*, section 243, amended.

- (6) Every subscription to the capital stock made prior to the granting of a license pursuant to *The Insurance Act* shall contain the stipulation that all moneys received on account of shares shall be returned to the subscribers without any deduction for promotion, organization or other expenses, in case the insurer fails to procure such a license.
- (7) Every subscription to the capital stock shall contain the stipulation that no sum shall be used or paid before or after incorporation, for commission, promotion or organization expenses in excess of a percentage, not exceeding fifteen, of the amount of money received on account of shares.
- (8) In this section the expression “money received on account of shares” shall include money received as premium on shares.

Return of subscriptions on failure to secure license.

Limit of percentage of subscriptions for charges.

**11.** Section 283 of *The Companies Act* is amended by striking out the words “Provincial Secretary” in the seventh line and inserting in lieu thereof the word “Superintendent,” so that the section will now read as follows:

Rev. Stat., c. 218, s. 283, amended.

283. At any annual general meeting of the shareholders or members of a corporation, or at any special

Filing by-laws for remuneration of directors.

general meeting thereof, if such purpose was clearly expressed in the notice of the special general meeting, it shall be lawful to enact by-laws for the remuneration of the directors, and a certified copy of every such by-law shall, within seven days after its passing, be filed with the Superintendent.

Rev. Stat.,  
c. 218,  
amended.

**12.** *The Companies Act* is amended by adding thereto the following section:

Security of  
accountants.

290a.—(1) Every officer or person appointed or elected to any office concerning the receipt or proper application of money shall furnish security for the just and faithful execution of the duties of his office according to the by-laws or rules of the corporation, and any person entrusted with the performance of any other service may be required to furnish similar security, and security so furnished and then subsisting shall be produced to the auditors at the annual audit.

Minimum.

(2) The security given by the treasurer or other officer having charge of the money of the corporation shall not be less than \$3,000.

Rev. Stat.,  
c. 218, s. 303,  
amended.

**13.** Section 303 of *The Companies Act* is amended by adding thereto the following clause:

"Subsidiary  
corporation,"  
meaning of.

(c) "Subsidiary corporation" means any corporation wheresoever incorporated at least seventy-five per centum of whose issued common shares are owned by a parent corporation as herein defined.

Rev. Stat.,  
c. 218, s. 304.

**14.** Section 304 of *The Companies Act* is amended by inserting after the word "corporation" in the seventh and eight lines the words "and of its subsidiary corporations," so that the section will now read as follows:

Subsidiary  
corporation.

304. The Lieutenant-Governor may, by letters patent, grant a charter to the president, vice-president, general manager, assistant general manager, cashier, assistant cashier and inspector of any corporation legally transacting business in Ontario under any Act of the Province of Ontario, or to any two of the said officials, with any other of the superior officers constituting such persons, and the employees of such corporation and of its subsidiary corporations who join the said society and those who replace them from time to time, a pension fund and employees mutual benefit society, and such society shall be a body corporate and politic.

**15.**—(1) The clauses lettered *a* and *b* in section 309 of *The Companies Act* are repealed and the following substituted therefor: Rev. Stat., c. 218, s. 309, repealed.

(a) Provide for the support and payment of pensions to officers and employees of the parent corporation and its subsidiary corporations incapacitated by age or infirmity or who cease to be employed by the parent or a subsidiary corporation; Pension funds for companies employees.

(b) Upon the death of such officers or employees, pay pensions, annuities or gratuities to their widows and children or other surviving relatives or personal representatives in such manner as by the by-laws may be specified.

(2) The clause lettered *c* in the said section 309 is amended by inserting after the word "parent" in the second line the words "or a subsidiary," so that the clause will now read as follows: Rev. Stat., c. 218, s. 309, amended.

(c) Provide for the payment of benefits to officers and employees of the parent or a subsidiary corporation incapacitated by illness, accident or disability; Providing for pension funds, etc.

**16.**—(1) The clause lettered *c* in subsection 1 of section 310 of *The Companies Act* is amended by adding at the end thereof the words "and its subsidiary corporations," so that the clause will now read as follows: Ib., s. 310, amended.

(c) The officers and employees of the parent corporation and its subsidiary corporations.

(2) The clause lettered *d* in subsection 1 of the said section 310 is repealed and the following substituted therefor: Ib., Benefits to widows and dependents.

(d) The widows and children or other surviving relatives, or the personal representatives of such officers and employees.

**17.** Section 311 of *The Companies Act* is amended by striking out the words "and orphans and relatives" in the fourth and fifth lines and inserting in lieu thereof the words "and children or other surviving relatives or personal representatives," so that the section will now read as follows: Rev. Stat., c. 218, s. 311, amended.

311. All the powers, authority, rights, penalties and forfeitures whatsoever in the premises, whether of the society or of the individual members thereof, or of the officers and employees thereof, or of such By-laws defining rights and remedies of beneficiaries, etc.

widows and children or other surviving relatives or personal representatives, or of the parent corporation shall be such and such only and may be enforced in such mode and in such mode only, as by such by-laws shall be defined and limited.

Commencement of Act. **18.**—(1) This Act, except as provided in subsection 2, shall come into force on the day upon which it receives the Royal Assent.

Retroactive sections. (2) Sections 13 to 17 inclusive shall be read and construed as though they had come into force on the 1st day of January, 1929.



3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Companies Act.

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*1st Reading*

March 4th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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T O R O N T O :

Printed by


The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Companies Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Companies Act, 1929*. Short title.
  
2. Subsection 3 of section 16 of *The Companies Act* is repealed. Rev. Stat.,  
c. 218, s. 16,  
subs. 3,  
repealed.
  
- 3.—(1) Subsection 1 of section 34 of *The Companies Act* is amended by inserting after the word "section" in the first line the figures and word "32 or." Rev. Stat.,  
c. 218, s. 34,  
subs. 1,  
amended.  
Liability of  
shareholders.
  
- (2) The amendment made by subsection 1 shall have effect as from the 10th day of May, 1928. Retroactive.
  
4. Section 55 of *The Companies Act* is repealed. Rev. Stat.,  
c. 218, s. 55,  
repealed.
  
- 5.—(1) Subsection 1 of section 63a of *The Companies Act* as enacted by section 7 of *The Companies Act, 1928*, is amended by inserting after the words "administration or" in the fifth line the words "document testamentary or other judicial or official." Rev. Stat.,  
c. 218, s. 63a  
(1928, c. 32,  
s. 7),  
amended.
  
- (2) Subsection 1 of the said section 63a is further amended by inserting after the word "official" in the fourteenth line the words "instrument or an authenticated copy thereof or official." Foreign  
letters  
probate, etc.
  
- 6.—(3) Subsection 2 of the said section 63a is amended by adding the following: "But such payment, transfer or consent to transfer, shall not be made unless and until the provisions of *The Succession Duty Act* are complied with," so that the subsection will now reads as follows:
  - (2) Such production and deposit shall be sufficient justification and authority to the directors for paying the amount or value of any dividend, coupon, bond, Transmission  
of interest  
on death.  
Securing  
payment of  
succession  
duty.

debenture or obligation or share, or transferring, or consenting to the transfer of any bond, debenture or obligation or share, in pursuance of, and in conformity to such probate, letters of administration or other such document aforesaid. But such payment, transfer or consent to transfer, shall not be made unless and until the provisions of *The Succession Duty Act* are complied with. 

Rev. Stat.,  
c. 218, s. 137,  
subs. 2,  
amended,  
Auditors'  
report.

**6.** Subsection 2 of section 137 of *The Companies Act* is amended by inserting after the word "affairs" in the last line the word "and."

Rev. Stat.,  
c. 218,  
amended.

**7.** *The Companies Act* is further amended by adding thereto the following section:

Neglect to  
file declara-  
tion of  
commence-  
ment of  
business.

152a. Where a company has commenced business without having complied with the requirements of subsection 1 of section 108 of *The Ontario Companies Act*, 1907, chapter 34, or of subsection 1 of section 112 of *The Ontario Companies Act*, 1912, chapter 31, or of subsection 1 of section 114 of *The Ontario Companies Act*, R.S.O. 1914, chapter 178, and the Lieutenant-Governor in Council is satisfied that the noncompliance was due to inadvertence, error or mistake and that before commencing business the conditions mentioned in clauses *a* and *b* of the said sections had been complied with, he may authorize the company to file the statutory declaration *nunc pro tunc*, and if it is filed within one month after the date of the Order-in-Council it shall have the same effect as if it had been filed before the company commenced business.

## INSURANCE COMPANIES

Rev. Stat.,  
c. 218, s. 240,  
amended.

**8.** Section 240 of *The Companies Act* is amended by adding thereto the following subsection:

Approval of  
Superin-  
tendent of  
Insurance.

(3) No letters patent granting a charter under the provisions of this Part shall be issued without the written approval of the Superintendent.

Rev. Stat.,  
c. 218, s. 243,  
subs. 3,  
amended.

**9.**—(1) Subsection 3 of section 243 of *The Companies Act* is amended by adding at the end thereof the words "provided that where not less than \$200,000 of the authorized capital is subscribed for and paid up in cash, and a surplus of not less than fifty per centum of such subscribed capital stock has been established, the capital stock may be divided into shares of any multiple of \$5, provided that the par value shall be not less than \$10," so that the subsection will now read as follows:



(3) The capital stock shall be divided into shares of \$100 each; provided that where not less than \$200,000 of the authorized capital is subscribed for and paid up in cash, and a surplus of not less than fifty per centum of such subscribed capital stock has been established, the capital stock may be divided into shares of any multiple of \$5, provided that the par value shall be not less than \$10.

Par value of shares in insurance companies.

(2) The said section 243 is further amended by adding thereto the following subsections:

*Ib.*, section 243, amended.

(6) Every subscription to the capital stock made prior to the granting of a license pursuant to *The Insurance Act* shall contain the stipulation that all moneys received on account of shares shall be returned to the subscribers without any deduction for promotion, organization or other expenses, in case the insurer fails to procure such a license.

Return of subscriptions on failure to secure license.

(7) Every subscription to the capital stock shall contain the stipulation that no sum shall be used or paid before or after incorporation, for commission, promotion or organization expenses in excess of a percentage, not exceeding fifteen, of the amount of money received on account of shares.

Limit of percentage of subscriptions for charges.

(8) In this section the expression "money received on account of shares" shall include money received as premium on shares.

**10.** Section 283 of *The Companies Act* is amended by striking out the words "Provincial Secretary" in the seventh line and inserting in lieu thereof the word "Superintendent," so that the section will now read as follows:

Rev. Stat., c. 218, s. 283, amended.

283. At any annual general meeting of the shareholders or members of a corporation, or at any special general meeting thereof, if such purpose was clearly expressed in the notice of the special general meeting, it shall be lawful to enact by-laws for the remuneration of the directors, and a certified copy of every such by-law shall, within seven days after its passing, be filed with the Superintendent.

Filing by-laws for remuneration of director.

**11.** *The Companies Act* is amended by adding thereto the following section:

Rev. Stat., c. 218, amended.

290a.—(1) Every officer or person appointed or elected to any office concerning the receipt or proper application of money shall furnish security for the just and faithful execution of the duties of his office

Security of accountants.

according to the by-laws or rules of the corporation, and any person entrusted with the performance of any other service may be required to furnish similar security, and security so furnished and then subsisting shall be produced to the auditors at the annual audit.

Minimum. (2) The security given by the treasurer or other officer having charge of the money of the corporation shall not be less than \$3,000.

Rev. Stat.,  
c. 218, s. 303,  
amended. **12.** Section 303 of *The Companies Act* is amended by adding thereto the following clause:

“Subsidiary corporation,”  
meaning of. (c) “Subsidiary corporation” means any corporation wheresoever incorporated at least seventy-five per centum of whose issued common shares are owned by a parent corporation as herein defined.

Rev. Stat.,  
c. 218, s. 304. **13.** Section 304 of *The Companies Act* is amended by inserting after the word “corporation” in the seventh and eight lines the words “and of its subsidiary corporations,” so that the section will now read as follows:

Subsidiary corporation. 304. The Lieutenant-Governor may, by letters patent, grant a charter to the president, vice-president, general manager, assistant general manager, cashier, assistant cashier and inspector of any corporation legally transacting business in Ontario under any Act of the Province of Ontario, or to any two of the said officials, with any other of the superior officers constituting such persons, and the employees of such corporation and of its subsidiary corporations who join the said society and those who replace them from time to time, a pension fund and employees mutual benefit society, and such society shall be a body corporate and politic.

Rev. Stat.,  
c. 218, s. 309,  
repealed. **14.—**(1) The clauses lettered *a* and *b* in section 309 of *The Companies Act* are repealed and the following substituted therefor:

- Pension funds for companies employees. (a) Provide for the support and payment of pensions to officers and employees of the parent corporation and its subsidiary corporations incapacitated by age or infirmity or who cease to be employed by the parent or a subsidiary corporation;
- (b) Upon the death of such officers or employees, pay pensions, annuities or gratuities to their widows and children or other surviving relatives or personal representatives in such manner as by the by-laws may be specified.

(2) The clause lettered *c* in the said section 309 is amended Rev. Stat.,  
c. 218, s. 309,  
amended. by inserting after the word "parent" in the second line the words "or a subsidiary," so that the clause will now read as follows:

- (c) Provide for the payment of benefits to officers and Providing  
for pension  
funds, etc. employees of the parent or a subsidiary corporation incapacitated by illness, accident or disability;

**15.**—(1) The clause lettered *c* in subsection 1 of section 310 Ib., s. 310,  
amended. of *The Companies Act* is amended by adding at the end thereof the words "and its subsidiary corporations," so that the clause will now read as follows:

- (c) The officers and employees of the parent corporation and its subsidiary corporations.



(2) The clause lettered *d* in subsection 1 of the said section 310 is repealed and the following substituted therefor: Ib.,  
Benefits to  
widows and  
dependents.

- (d) The widows and children or other surviving relatives, or the personal representatives of such officers and employees.

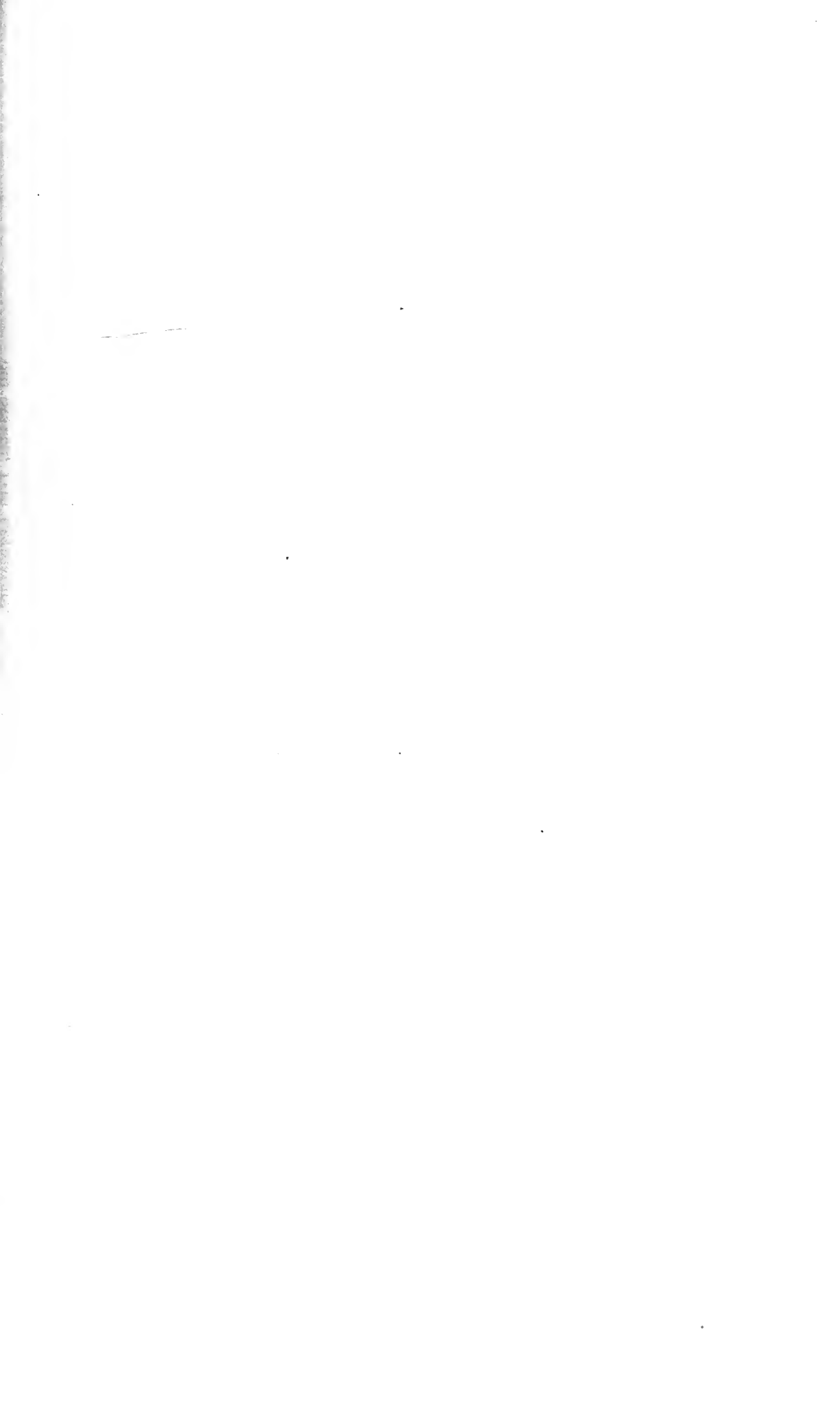
**16.** Section 311 of *The Companies Act* is amended by Rev. Stat.,  
c. 218, s. 311,  
amended. striking out the words "and orphans and relatives" in the fourth and fifth lines and inserting in lieu thereof the words "and children or other surviving relatives or personal representatives," so that the section will now read as follows:

311. All the powers, authority, rights, penalties and By-laws  
defining  
rights and  
remedies of  
beneficiaries,  
etc. forfeitures whatsoever in the premises, whether of the society or of the individual members thereof, or of the officers and employees thereof, or of such widows and children or other surviving relatives or personal representatives, or of the parent corporation shall be such and such only and may be enforced in such mode and in such mode only, as by such by-laws shall be defined and limited.

**17.**—(1) This Act, except as provided in subsection 2, Commence-  
ment of Act. shall come into force on the day upon which it receives the Royal Assent.

 (2) Subsection 1 of section 9, and sections 12 to 16 Retroactive  
sections. inclusive, shall be read and construed as though they had come into force on the 1st day of January, 1928. 





3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Companies Act.

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*1st Reading*

March 4th, 1929.

*2nd Reading*

March 6th, 1929.

*3rd Reading*

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MR. PRICE.

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*(Reprinted as amended in Committee of the  
Whole House.)*

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Companies Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Companies Act, 1929*. Short title.
2. Subsection 3 of section 16 of *The Companies Act* is repealed. Rev. Stat.,  
c. 218, s. 16,  
subs. 3,  
repealed.
- 3.—(1) Subsection 1 of section 34 of *The Companies Act* is amended by inserting after the word "section" in the first line the figures and word "32 or." Rev. Stat.,  
c. 218, s. 34,  
subs. 1,  
amended.  
Liability of  
shareholders.
- (2) The amendment made by subsection 1 shall have effect as from the 10th day of May, 1928. Retroactive.
4. Section 55 of *The Companies Act* is repealed. Rev. Stat.,  
c. 218, s. 55,  
repealed.
- 5.—(1) Subsection 1 of section 63a of *The Companies Act* as enacted by section 7 of *The Companies Act, 1928*, is amended by inserting before the commencement thereof the words "Subject to the provisions of *The Succession Duty Act*"; by inserting after the words "administration or" in the fifth line the words "document testamentary or other judicial or official" and by inserting after the word "official" in the fourteenth line the words "instrument or an authenticated copy thereof or official." Rev. Stat.,  
c. 218, s. 63a,  
subs. 1 (1928,  
c. 32, s. 7)  
amended.  
Foreign  
letters  
probate, etc.
- (2) Subsection 2 of the said section 63a is amended by adding the following: "But such payment, transfer or consent to transfer, shall not be made unless and until the provisions of *The Succession Duty Act* are complied with," so that the subsection will now read as follows: Rev. Stat.,  
c. 218, s. 63a,  
subs. 2 (1928,  
c. 32, s. 7)  
amended.
- (2) Such production and deposit shall be sufficient justification and authority to the directors for paying the amount or value of any dividend, coupon, bond, Transmission  
of interest  
on death.  
Securing  
payment of  
succession  
duty.

debenture or obligation or share, or transferring, or consenting to the transfer of any bond, debenture or obligation or share, in pursuance of, and in conformity to such probate, letters of administration or other such document aforesaid. But such payment, transfer or consent to transfer, shall not be made unless and until the provisions of *The Succession Duty Act* are complied with.

Rev. Stat.  
c. 26.

Rev. Stat.,  
c. 218, s. 137,  
subs. 2,  
amended.  
Auditors'  
report.

**6.** Subsection 2 of section 137 of *The Companies Act* is amended by inserting after the word "affairs" in the last line the word "and."

Rev. Stat.,  
c. 218,  
amended.

**7.** *The Companies Act* is further amended by adding thereto the following section:

Neglect to  
file declara-  
tion of  
commence-  
ment of  
business.

152a. Where a company has commenced business without having complied with the requirements of subsection 1 of section 108 of *The Ontario Companies Act*, 1907, chapter 34, or of subsection 1 of section 112 of *The Ontario Companies Act*, 1912, chapter 31, or of subsection 1 of section 114 of *The Ontario Companies Act*, R.S.O. 1914, chapter 178, and the Lieutenant-Governor in Council is satisfied that the noncompliance was due to inadvertence, error or mistake and that before commencing business the conditions mentioned in clauses *a* and *b* of the said sections had been complied with, he may authorize the company to file the statutory declaration *nunc pro tunc*, and if it is filed within one month after the date of the Order-in-Council it shall have the same effect as if it had been filed before the company commenced business.

## INSURANCE COMPANIES

Rev. Stat.,  
c. 218, s. 240,  
amended.

**8.** Section 240 of *The Companies Act* is amended by adding thereto the following subsection:

Approval of  
Superin-  
tendent of  
Insurance.

(3) No letters patent granting a charter under the provisions of this Part shall be issued without the written approval of the Superintendent.

Rev. Stat.,  
c. 218, s. 243,  
subs. 3,  
amended.

**9.—(1)** Subsection 3 of section 243 of *The Companies Act* is amended by adding at the end thereof the words "provided that where not less than \$200,000 of the authorized capital is subscribed for and paid up in cash, and a surplus of not less than fifty per centum of such subscribed capital stock has been established, the capital stock may be divided into shares of any multiple of \$5, provided that the par value shall be not less than \$10," so that the subsection will now read as follows:



(3) The capital stock shall be divided into shares of \$100 each; provided that where not less than \$200,000 of the authorized capital is subscribed for and paid up in cash, and a surplus of not less than fifty per centum of such subscribed capital stock has been established, the capital stock may be divided into shares of any multiple of \$5, provided that the par value shall be not less than \$10.

Par value of shares in insurance companies.

(2) The said section 243 is further amended by adding thereto the following subsections:

Rev. Stat., c. 218, s. 243, amended.

(6) Every subscription to the capital stock made prior to the granting of a license pursuant to *The Insurance Act* shall contain the stipulation that all moneys received on account of shares shall be returned to the subscribers without any deduction for promotion, organization or other expenses, in case the insurer fails to procure such a license.

Return of subscriptions on failure to secure license.

Rev. Stat. c. 222.

(7) Every subscription to the capital stock shall contain the stipulation that no sum shall be used or paid before or after incorporation, for commission, promotion or organization expenses in excess of a percentage, not exceeding fifteen, of the amount of money received on account of shares.

Limit of percentage of subscriptions for charges.

(8) In this section the expression "money received on account of shares" shall include money received as premium on shares.

**10.** Section 283 of *The Companies Act* is amended by striking out the words "Provincial Secretary" in the seventh line and inserting in lieu thereof the word "Superintendent," so that the section will now read as follows:

Rev. Stat., c. 218, s. 283, amended.

283. At any annual general meeting of the shareholders or members of a corporation, or at any special general meeting thereof, if such purpose was clearly expressed in the notice of the special general meeting, it shall be lawful to enact by-laws for the remuneration of the directors, and a certified copy of every such by-law shall, within seven days after its passing, be filed with the Superintendent.

Filing by-laws for remuneration of director.

**11.** *The Companies Act* is amended by adding thereto the following section:

Rev. Stat., c. 218, amended.

290a.—(1) Every officer or person appointed or elected to any office concerning the receipt or proper application of money shall furnish security for the just and faithful execution of the duties of his office

Security of accountants.

according to the by-laws or rules of the corporation, and any person entrusted with the performance of any other service may be required to furnish similar security, and security so furnished and then substituting shall be produced to the auditors at the annual audit.

Minimum. (2) The security given by the treasurer or other officer having charge of the money of the corporation shall not be less than \$3,000.

Rev. Stat., c. 218, s. 303, amended. **12.** Section 303 of *The Companies Act* is amended by adding thereto the following clause:

"Subsidiary corporation," meaning of.

(c) "Subsidiary corporation" means any corporation wheresoever incorporated at least seventy-five per centum of whose issued common shares are owned by a parent corporation as herein defined.

Rev. Stat., c. 218, s. 304, amended. **13.** Section 304 of *The Companies Act* is amended by inserting after the word "corporation" in the seventh and eight lines the words "and of its subsidiary corporations," so that the section will now read as follows:

Subsidiary corporation.

304. The Lieutenant-Governor may, by letters patent, grant a charter to the president, vice-president, general manager, assistant general manager, cashier, assistant cashier and inspector of any corporation legally transacting business in Ontario under any Act of the Province of Ontario, or to any two of the said officials, with any other of the superior officers constituting such persons, and the employees of such corporation and of its subsidiary corporations who join the said society and those who replace them from time to time, a pension fund and employees mutual benefit society, and such society shall be a body corporate and politic.

Rev. Stat., c. 218, s. 309, cls. a, b, repealed. **14.—(1)** The clauses lettered *a* and *b* in section 309 of *The Companies Act* are repealed and the following substituted therefor:

Pension funds for companies employees.

- (a) Provide for the support and payment of pensions to officers and employees of the parent corporation and its subsidiary corporations incapacitated by age or infirmity or who cease to be employed by the parent or a subsidiary corporation;
- (b) Upon the death of such officers or employees, pay pensions, annuities or gratuities to their widows and children or other surviving relatives or personal representatives in such manner as by the by-laws may be specified.

(2) The clause lettered *c* in the said section 309 is amended by inserting after the word "parent" in the second line the words "or a subsidiary," so that the clause will now read as follows:

Rev. Stat.,  
c. 218, s. 309,  
cl. c.  
amended.

- (c) Provide for the payment of benefits to officers and employees of the parent or a subsidiary corporation incapacitated by illness, accident or disability;

Providing  
for pension  
funds, etc.

**15.**—(1) The clause lettered *c* in subsection 1 of section 310 of *The Companies Act* is amended by adding at the end thereof the words "and its subsidiary corporations," so that the clause will now read as follows:

Rev. Stat.,  
c. 218, s. 310,  
subs. 1, cl. c,  
amended.

- (c) The officers and employees of the parent corporation and its subsidiary corporations.

(2) The clause lettered *d* in subsection 1 of the said section 310 is repealed and the following substituted therefor:

Rev. Stat.,  
c. 218, s. 310,  
subs. 1, cl. d,  
repealed.

- (d) The widows and children or other surviving relatives, or the personal representatives of such officers and employees.

Benefits to  
widows and  
dependents.

**16.** Section 311 of *The Companies Act* is amended by striking out the words "and orphans and relatives" in the fourth and fifth lines and inserting in lieu thereof the words "and children or other surviving relatives or personal representatives," so that the section will now read as follows:

Rev. Stat.,  
c. 218, s. 311,  
amended.

- 311. All the powers, authority, rights, penalties and forfeitures whatsoever in the premises, whether of the society or of the individual members thereof, or of the officers and employees thereof, or of such widows and children or other surviving relatives or personal representatives, or of the parent corporation shall be such and such only and may be enforced in such mode and in such mode only, as by such by-laws shall be defined and limited.

By-laws  
defining  
rights and  
remedies of  
beneficiaries,  
etc.

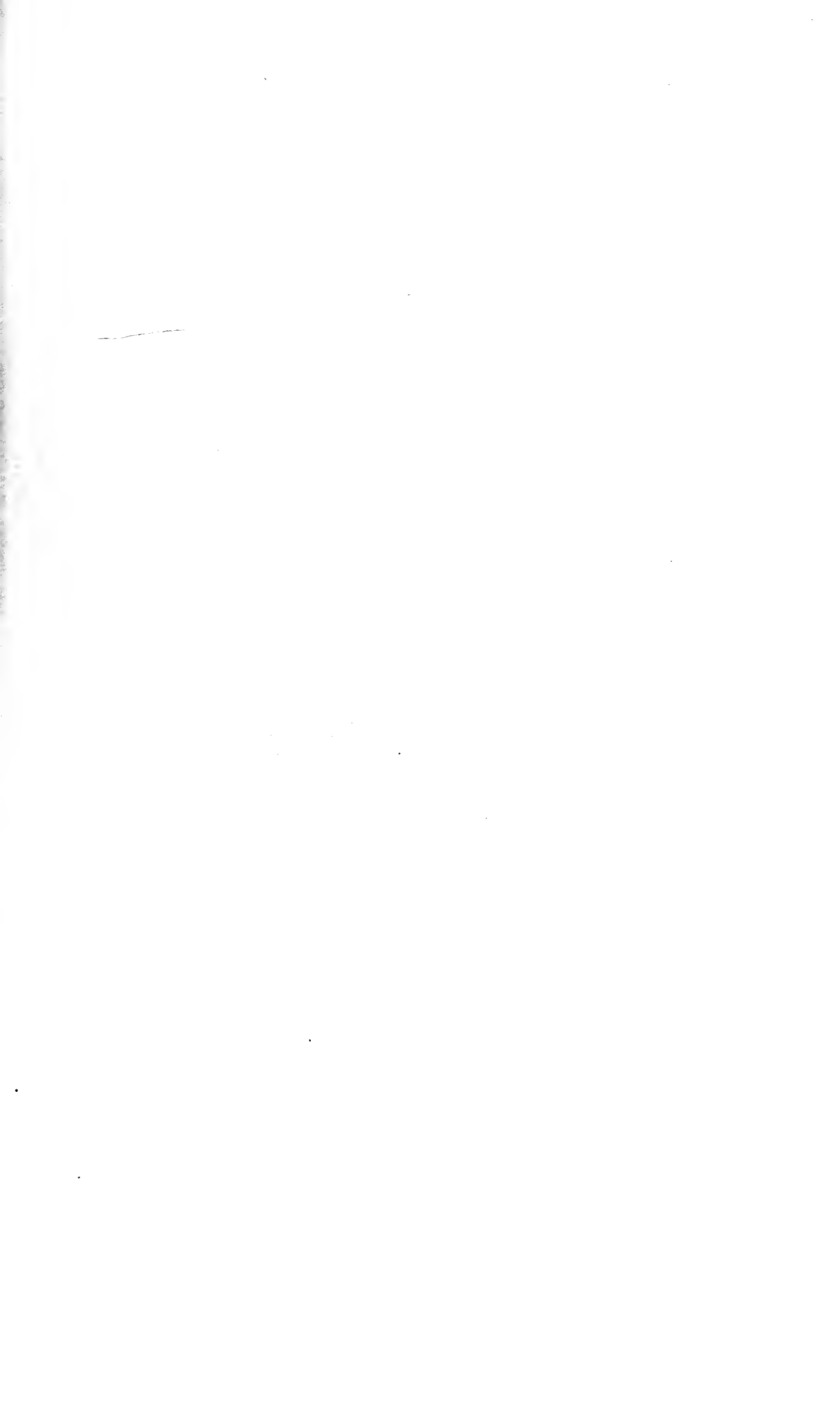
**17.**—(1) This Act, except as provided in subsection 2, shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

(2) Subsection 1 of section 9, and sections 12 to 16 inclusive, shall be read and construed as though they had come into force on the 1st day of January, 1928.

Retroactive  
sections.





3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Companies Act.

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*1st Reading*

March 4th, 1929.

*2nd Reading*

March 6th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to extend the operation of The Costs of Distress Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Costs of Distress Act, 1929*. Short title.

2. Section 3 of *The Costs of Distress Act* is amended by Rev. Stat., c. 110, s. 3, amended. inserting after the words "chattel mortgage" in the third line the words "or for default in payment of any instalment of principal or interest, or by any instrument under the terms of which the vendor retains the right to take possession of any chattel sold by him for default in payment of any instalment of principal or interest," so that the section will now read as follows:

3. No person making a seizure or sale of goods for Tariff of costs under chattel mortgage. default in payment of the principal money or interest secured by a chattel mortgage, or for default in payment of any instalment of principal or interest, or by any instrument under the terms of which the vendor retains the right to take possession of any chattel sold by him for default in payment of any instalment of principal or interest, shall levy, take or receive any greater or other fees or costs than those set forth in Schedule 3.

3. Section 4 of *The Costs of Distress Act* is amended by Rev. Stat., c. 110, s. 4, amended. striking out the word "Schedule" in the second line and inserting in lieu thereof the word "Schedules," so that the section will now read as follows:

4. No person shall make any charge for anything men- No charge for anything not done. tioned in such Schedules unless it has been actually done.

4. This Act shall come into force on the day upon which Commencement of Act. it receives the Royal Assent.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to extend the operation of The  
Costs of Distress Act.

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*1st Reading*

March 4th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

An Act to extend the operation of The Costs of Distress Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Costs of Distress Act, 1929.* Short title.

2. Section 3 of *The Costs of Distress Act* is amended by Rev. Stat., c. 110, s. 3, amended. inserting after the words "chattel mortgage" in the third line the words "or for default in payment of any instalment of principal or interest, or by any instrument under the terms of which the vendor retains the right to take possession of any chattel sold by him for default in payment of any instalment of principal or interest," so that the section will now read as follows:

3. No person making a seizure or sale of goods for default in payment of the principal money or interest secured by a chattel mortgage, or for default in payment of any instalment of principal or interest, or by any instrument under the terms of which the vendor retains the right to take possession of any chattel sold by him for default in payment of any instalment of principal or interest, shall levy, take or receive any greater or other fees or costs than those set forth in Schedule 3. Tariff of costs under chattel mortgage.

3. Section 4 of *The Costs of Distress Act* is amended by Rev. Stat., c. 110, s. 4, amended. striking out the word "Schedule" in the second line and inserting in lieu thereof the word "Schedules," so that the section will now read as follows:

4. No person shall make any charge for anything mentioned in such Schedules unless such thing has been actually done. No charge for anything not done.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to extend the operation of The  
Costs of Distress Act.

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*1st Reading*

March 4th, 1929.

*2nd Reading*

March 6th, 1929.

*3rd Reading*

March 15th, 1929.

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Mr. PRICE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Northern Development Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Northern Development Act, 1929*. Short title.

2. Section 21 of *The Northern Development Act* is amended by adding thereto the following clause: Rev. Stat., c. 36, s. 21, amended.

(a) The commissioner may assign the loan debt or charge and convey the property charged, and the person to whom any such assignment is made shall have, and in his own name may exercise and enforce all rights, privileges, powers and remedies in the same manner and to the same extent as if the said lien or charge were a mortgage made under *The Mortgages Act* and assigned to such person. Assignment of charge for loan debt. Rev. Stat., c. 140.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Northern  
Development Act.

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*1st Reading*

March 4th, 1929.

*2nd Reading*

*3rd Reading*

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Mr. FINLAYSON.

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TORONTO:  
Printed by

# BILL

An Act to amend The Northern Development Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Northern Development Act, 1929.* Short title.

**2.** Section 21 of *The Northern Development Act* is amended by adding thereto the following clause: Rev. Stat., c. 36, s. 21, amended.

(a) The commissioner may assign the loan debt or charge and convey the property charged, and the person to whom any such assignment is made shall have, and in his own name may exercise and enforce all rights, privileges, powers and remedies in the same manner and to the same extent as if the said lien or charge were a mortgage made under *The Mortgages Act* and assigned to such person. Assignment of charge for loan debt. Rev. Stat., c. 140.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Northern  
Development Act.

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*1st Reading*

March 4th, 1929.

*2nd Reading*

March 6th, 1929.

*3rd Reading*

March 15th, 1929.

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MR. FINLAYSON.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Factory, Shop and Office Building Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Factory, Shop and Office Building Act, 1929.* Short title.

**2.** Notwithstanding anything contained in Part I of *The Factory, Shop and Office Building Act*, no child under fourteen years of age shall be employed in a factory. Rev. Stat., c. 275, s. 28, Employment of children prohibited.

**3.** Notwithstanding anything contained in section 8 of *The Factory, Shop and Office Building Act*, Part I of the said Act shall apply to any factory in which machinery operated or driven by steam, electric or other motive power is used. Application of Act.

**4.** Section 28 of *The Factory, Shop and Office Building Act* is repealed and the following substituted therefor: Rev. Stat., c. 275, s. 28, repealed.

28. No person under sixteen years of age shall be employed in any shop or factory during school hours unless such person shall have furnished to the employer a certificate issued in accordance with the provisions of *The Adolescent School Attendance Act* permitting the absence of such person from school, and such certificate shall be kept on file by the employer and produced whenever called for by the inspector. Employment of adolescents.

**5.** Section 37 of *The Factory, Shop and Office Building Act* is amended by striking out the figures "31" in the third and fourth lines respectively and inserting in lieu thereof the figures "33." Rev. Stat., c. 275, s. 37, amended. Hours of employment.

**6.** Subsection 7 of section 59 of *The Factory, Shop and Office Building Act* is repealed and the following substituted therefor: Rev. Stat., c. 275, s. 59, subs. 7, repealed.

Age  
of person  
operating  
elevators.

(7) No person under the age of eighteen years shall be allowed to regularly operate or control an elevator in a factory, shop or office building.

Minimum  
penalty.

**7.** Whenever in *The Factory, Shop and Office Building Act* it is provided that a penalty may be imposed for an offence against that Act and no minimum penalty is prescribed, no less penalty shall be imposed upon conviction of the offence than an amount equivalent to one-tenth of the maximum penalty, and in no case less than \$10.

Rev. Stat.,  
c. 275, s. 82,  
repealed.

**8.** Section 82 of *The Factory, Shop and Office Building Act*, relating to the application of penalties, is repealed.

Rev. Stat.,  
c. 275,  
Schedule A,  
amended.

**9.** Schedule A to *The Factory, Shop and Office Building Act* is amended by inserting the words "paint shops and varnish shops" before the words "paint works" in the said schedule.

Rev. Stat.,  
c. 275,  
Schedule B,  
Form 5,  
amended.

**10.** Form 5 in Schedule B to *The Factory, Shop and Office Building Act* is amended by striking out the word "Saturday" in the fifth line and inserting in lieu thereof the words "on such day of the week as may be arranged."

Act to  
be read as  
part of Rev.  
Stat., c. 275.

**11.** This Act shall be read with and as part of *The Factory, Shop and Office Building Act*, and the said Act shall be interpreted as amended hereby, and words and phrases used in this Act shall have the meaning given to the same words and phrases respectively, by section 1 of *The Factory, Shop and Office Building Act*.

Commence-  
ment of  
Act.

**12.** This Act shall come into force on the day upon which it receives the Royal Assent.





3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Factory, Shop and  
Office Building Act.

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*1st Reading*

March 4th, 1929.

*2nd Reading*

*3rd Reading*

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MR. GODFREY.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Factory, Shop and Office Building Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Factory, Shop and Office Building Act, 1929*. Short title.
2. Notwithstanding anything contained in Part I of *The Factory, Shop and Office Building Act*, no child under fourteen years of age shall be employed in a factory. Rev. Stat., c. 275, s. 28. Employment of children prohibited.
3. Notwithstanding anything contained in section 8 of *The Factory, Shop and Office Building Act*, Part I of the said Act shall apply to any factory in which machinery operated or driven by steam, electric or other motive power is used. Application of Act.
4. Section 28 of *The Factory, Shop and Office Building Act* is repealed and the following substituted therefor: Rev. Stat., c. 275, s. 28, repealed.
  28. No person under sixteen years of age shall be employed in any shop or factory during school hours unless such person shall have furnished to the employer a certificate issued in accordance with the provisions of *The Adolescent School Attendance Act* permitting the absence of such person from school, and such certificate shall be kept on file by the employer and produced whenever called for by the inspector. Employment of adolescents. Rev. Stat., c. 333.
- 5.—(1) Section 30 of *The Factory, Shop and Office Building Act* is repealed and the following substituted therefor: Rev. Stat., c. 275, s. 30, repealed.
  - 30.—(1) No Chinese person shall employ in any capacity or have under his direction or control any female white person in any factory, restaurant or laundry. Employment of women by Chinese.
  - (2) Subsection 1 shall not come into force until a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of section.

Amendment retro-active. (2) The amendment made by subsection 1 of this section shall have effect as from the 31st day of December, A.D. 1927.

Rev. Stat. c. 275, s. 34, amended. **6.** Section 34 of *The Factory, Shop and Office Building Act* is amended by adding thereto the following clause:

Payment for overtime. (a) In all cases where any child, youth, young girl or woman works beyond the number of hours in any one day or in any one week as provided in this Act, and whether the inspector under this Act has permitted exemption or not, such child, youth, young girl or woman shall be entitled to be paid wages for such overtime, and the Minimum Wage Board of Ontario shall have the right to establish a rate of wage for all such overtime worked in any one day or in any one week.

Rev. Stat., c. 275, s. 37, amended. **7.** Section 37 of *The Factory, Shop and Office Building Act* is amended by striking out the figures "31" in the third and fourth lines respectively and inserting in lieu thereof the figures "33."

Hours of employment.

Rev. Stat., c. 275, s. 59, subs. 7, repealed. **8.** Subsection 7 of section 59 of *The Factory, Shop and Office Building Act* is repealed and the following substituted therefor:

Age of person operating elevators. (7) No person under the age of eighteen years shall be allowed to regularly operate or control an elevator in a factory, shop or office building.

Minimum penalty. **9.** Whenever in *The Factory, Shop and Office Building Act* it is provided that a penalty may be imposed for an offence against that Act and no minimum penalty is prescribed, no less penalty shall be imposed upon conviction of the offence than an amount equivalent to one-tenth of the maximum penalty, and in no case less than \$10.

Rev. Stat., c. 275, s. 82, repealed. **10.** Section 82 of *The Factory, Shop and Office Building Act*, relating to the application of penalties, is repealed.

Rev. Stat., c. 275, Schedule A, amended. **11.** Schedule A to *The Factory, Shop and Office Building Act* is amended by inserting the words "paint shops and varnish shops" before the words "paint works" in the said schedule.

Rev. Stat., c. 275, Schedule B, Form 5, amended. **12.** Form 5 in Schedule B to *The Factory, Shop and Office Building Act* is amended by striking out the word "Saturday" in the fifth line and inserting in lieu thereof the words "on such day of the week as may be arranged."

**13.** This Act shall be read with and as part of *The Factory, Shop and Office Building Act*, and the said Act shall be interpreted as amended hereby, and words and phrases used in this Act shall have the meaning given to the same words and phrases respectively, by section 1 of *The Factory, Shop and Office Building Act*. Act to be read as part of Rev. Stat. c. 275.

**14.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Factory, Shop and  
Office Building Act.

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*1st Reading*

March 4th, 1929.

*2nd Reading*

March 6th, 1929.

*3rd Reading*

March 15th, 1929.

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MR. GODFREY.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act for the Better Prevention of Silicosis among Stone Workers.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Silicosis Act, 1929.* Short title.

2. In this Act "Silicosis" shall mean silicosis of the lungs "Silicosis,"— (a fibroid condition of the lungs caused by the inhalation of silica dust) meaning of.

3. A person shall not be employed in the cutting, polishing or finishing of granite who is not the holder of a subsisting certificate given by a medical examiner under this Act that such person is medically fit to be employed in such occupation. Certificate as to fitness.

4. Every certificate issued under this Act shall be for such period and shall be renewable upon such conditions as may be prescribed by the regulations. Term and renewal of certificate.

5. The owner, manager, proprietor or superintendent of any works in which the cutting and polishing of granite is carried on shall provide such masks and other appliances to be used by the persons employed in such works for their protection against silicosis as may be approved from time to time by the Minister of Health. Masks, etc., to be supplied.

6. Every such owner, manager, proprietor and superintendent shall at all times take such precautions and use such appliances as may be directed by the Factory Inspection Branch of the Department of Labour. Precautions to be taken.

7. The Lieutenant-Governor in Council may make regulations for the appointment of medical examiners for the purposes of this Act and for prescribing the methods and procedure to be adopted for the examination of applicants for certificates of fitness, and the fees payable for such examination. Regulations.

Regulations  
as to pro-  
tection of  
granite  
workers.

**8.** The Minister of Health with the approval of the Lieutenant-Governor in Council may make such regulations from time to time as may be deemed desirable for the better security of workmen employed in cutting, polishing and finishing granite and for their protection against silicosis or other industrial diseases which may be contracted in pursuing their occupation.

Extension of  
operation  
of Act.

**9.** The Minister of Health with the approval of the Lieutenant-Governor in Council may extend the operation of this Act so as to include workmen employed in cutting, polishing, finishing or grinding any stone or substance other than granite, and may extend the application of any regulations to the works in which they are employed.

Commence-  
ment of  
Act.

**10.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.





3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act for the Better Prevention of Silicosis  
among Stone Workers.

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*1st Reading*

March 4th, 1929.

*2nd Reading*

*3rd Reading*

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MR. GODFREY.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act for the Better Prevention of Silicosis among Stone Workers.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Silicosis Act, 1929*. Short title.
2. In this Act "Silicosis" shall mean silicosis of the lungs "Silicosis," meaning of. (a fibroid condition of the lungs caused by the inhalation of silica dust).
3. A person shall not be employed in the cutting, polishing Certificate as to fitness. or finishing of granite who is not the holder of a subsisting certificate given by a medical examiner under this Act that such person is medically fit to be employed in such occupation.
4. Every certificate issued under this Act shall be for such Term and renewal of certificate. period and shall be renewable upon such conditions as may be prescribed by the regulations.
5. The owner, manager, proprietor or superintendent of Masks, etc., to be supplied. any works in which the cutting and polishing of granite is carried on shall provide such masks and other appliances to be used by the persons employed in such works for their protection against silicosis as may be approved from time to time by the Minister of Health.
6. Every such owner, manager, proprietor and superin- Precautions to be taken. tendent shall at all times take such precautions and use such appliances as may be directed by the Factory Inspection Branch of the Department of Labour.
7. The Lieutenant-Governor in Council may make regu- Regulations. lations for the appointment of medical examiners for the purposes of this Act and for prescribing the methods and procedure to be adopted for the examination of applicants for certificates of fitness, and the fees payable for such examina- tion.

Regulations  
as to pro-  
tection of  
granite  
workers.

**8.** The Minister of Health with the approval of the Lieutenant-Governor in Council may make such regulations from time to time as may be deemed desirable for the better security of workmen employed in cutting, polishing and finishing granite and for their protection against silicosis or other industrial diseases which may be contracted in pursuing their occupation.

Extension of  
operation  
of Act.

**9.** The Minister of Health with the approval of the Lieutenant-Governor in Council may extend the operation of this Act so as to include workmen employed in cutting, polishing, finishing or grinding any stone or substance other than granite, and may extend the application of any regulations to the works in which they are employed.

Commence-  
ment of  
Act.

**10.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.



3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act for the Better Prevention of Silicosis  
among Stone Workers.

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*1st Reading*

March 4th, 1929.

*2nd Reading*

March 6th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. GODFREY.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 60 of *The Assessment Act* is amended by striking out in the last two lines the words "within three days after the decision of the court of revision is given" and inserting in lieu thereof the words "within five days after the decision of the court of revision where it is given at the hearing of the appeal, and where it is reserved within five days after written notice of such decision has been delivered to the appellant or sent to him by registered letter post by the clerk of the court." Rev. Stat.,  
c. 238, s. 60,  
subs. 3,  
amended.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Assessment Act.

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*1st Reading*

March 4th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MCBRIEN.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Extra Provincial Corporations Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Extra Provincial Corporations Act, 1929.* Short title.

2. Section 3 of *The Extra Provincial Corporations Act* is amended by adding thereto the following subsection: Rev. Stat., c. 219, s. 3, amended.

(2) Where it appears to the Lieutenant-Governor in Council that similar legislation to that governing corporations in Ontario is in force in any province of Canada, the Lieutenant-Governor in Council may exempt any corporation to which such similar legislation applies from the operation of this section. Reciprocal legislation as to exemption from licensing.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Extra Provincial  
Corporations Act.

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*1st Reading*

March 5th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Extra Provincial Corporations Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Extra Provincial Corporations Act, 1929.* Short title.

**2.** Section 3 of *The Extra Provincial Corporations Act* is amended by adding thereto the following subsection: Rev. Stat., c. 219, s. 3, amended.

(2) Where it appears that legislation is in force in any other province of Canada exempting corporations incorporated in Ontario from the provisions of any Act corresponding with the provisions of this Act, the Lieutenant-Governor in Council may exempt any corporation incorporated under the law of such other province from the provisions of this Act or any of them. Reciprocal legislation as to exemption from licensing.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Extra Provincial  
Corporations Act.

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*1st Reading*

March 5th, 1929.

*2nd Reading*

March 8th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 2 of section 109 of *The Municipal Act* is amended by adding thereto the following words "and any such by-law shall remain in force from year to year until repealed." Rev. Stat., c. 233, s. 109, subs. 2, amended.

**2.** Section 396 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 396, amended.

**42a.** For any corporation officers becoming members of any municipal union or association for extending and improving the technical skill of such municipal officers in the discharge of their municipal duties, and for paying the fees for such membership, and for paying the expenses of such officers attending any meeting of such union or association or upon its business. Officers becoming members of association for improving technical knowledge.

**3.** Section 399 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 399, amended.

**52.** For granting from time to time to any person, upon such terms and conditions as may be thought expedient, the exclusive right within the municipality for a period not exceeding ten years at any one time, to use the streets in the municipality for the operation of busses to be used for hire within the municipality, and for entering into agreements with any such person not to grant to any other person for such period, any license or permission to operate a bus or busses within the municipality, but no such by-law shall be passed nor shall any such agreement be entered into without the assent of the municipal electors. Grant of exclusive franchise to operate busses.

Rev. Stat.,  
c. 233, s. 431,  
amended.

4. Section 431 of *The Municipal Act* is amended by adding thereto the following paragraph:

Routes  
of travel  
for busses.

4a. For prescribing from time to time, and as occasion may require, the routes of travel to be observed by all owners and drivers of busses within the municipality.



3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Municipal Act.

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*1st Reading*

March 5th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MOORE.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 52 of *The Municipal Act* is amended by striking out the words "or within five miles of" in the fifth and sixth lines of paragraph (a) thereof, and by adding at the end of said paragraph the words "or in the case of a township, village or town within five miles of the municipality."  
Rev. Stat., c. 233, s. 52, subs. 1, par. a, amended.

2. Section 70 of *The Municipal Act* is amended by adding thereto the following subsection:  
Rev. Stat., c. 233, s. 70, amended.

(4a) Before making the declaration the candidate shall submit to the treasurer or the collector of taxes of the municipality a list of all properties in the municipality of which the candidate is the owner or lessee, and shall procure from such official and file with his declaration a certificate that there are no municipal taxes or rates due on any of said properties, and the clerk shall not place on the ballot paper the name of any candidate who fails to file such certificate with his declaration.  
Candidates to file certificate as to payment of taxes with declaration of qualification.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Municipal Act.

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*1st Reading*

March 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MCBRIEN.

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TORONTO:

Printed by

# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 438 of *The Municipal Act* is amended by inserting after the word "population" in the first line the following words "of not less than 100,000 may expend a sum not exceeding in any year twenty cents per head of its population and the council of a city having a population."<sup>Rev. Stat., c. 233, s. 438, subs. 1, amended.</sup>

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Municipal Act.

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*1st Reading*

March 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. HONEYWELL.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 233,  
amended.

415a. The council of a township in unorganized territory having a population of not less than 5,000 and which has been declared by order of the Municipal Board to be a township part of which is so built up and populated as to entitle it to be incorporated as a town under the provisions of this Act may pass by-laws for the purposes mentioned in,—

- (a) Paragraph 4 of section 399 under the heading "*Buildings—Strength of Walls, Beams, etc.*"
- (b) Paragraph 7 of section 399 under the heading "*Cab Stands and Booths.*"
- (c) Paragraph 8 of section 399 under the heading "*Cellars—Plans of.*"
- (d) Paragraph 46 of section 399 under the heading "*Stables, etc.*"
- (e) Sections 400 and 401 under the heading "*Markets, etc.*"
- (f) Section 408 under the heading "*Vehicles used for Hire, etc.—Livery and Boarding Stables.*"
- (g) Section 417 under the heading "*Auctioneers.*"
- (h) Section 419 under the heading "*Junk and Second-hand Shops, etc.*"

- (i) Paragraph 1 of section 424.
- (j) Paragraph 1 of section 428 under the heading "*Sale of Meat.*"
- (k) Paragraph 2 of section 428 under the heading "*Tobacconists.*"



3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Municipal Act.

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*1st Reading*

March 6th, 1929.

*2nd Reading*

*3rd Reading*

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MR. KENNING.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Research Foundation Act, 1928.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Research Foundation Act*, Short title.  
1929.

**2.**—(1) Subsection 2 of section 5 of *The Research Foundation Act*, 1928, c. 57, s. 5, subs. 2, is amended by striking out the words "members and" in the third line, so that the subsection will now read as follows:

(2) The chairman shall preside at all meetings of the Foundation and shall have the control and direction of the administration of the Foundation and of the staff of the Foundation. Powers of chairman.

(2) The said section 5 is amended by adding thereto the following subsection: 1928, c. 57, s. 5, amended.

(4) The Lieutenant-Governor in Council may appoint from among the members of the Foundation not more than twenty-five persons to constitute an advisory board to act with the chairman, vice-chairman and executive officers of the Foundation. Advisory board, appointment of.

**3.** Subsection 1 of section 6 of *The Research Foundation Act*, 1928, is amended by striking out the figures "\$1,000,000" in the last line and inserting in lieu thereof the figures "\$2,500,000," so that the subsection will now read as follows: 1928, c. 57, s. 6, subs. 1, amended.

(1) The Foundation may enter into an agreement in writing with such persons as may desire to become subscribers to the Foundation for receiving from such persons subscriptions of money in sums of \$100, or multiples thereof, until the sum of \$2,500,000 has been subscribed. Subscribers to Foundation.

1928, c. 57,  
s. 7,  
amended.

4. Section 7 of *The Research Foundation Act, 1928*, is amended by inserting after the figures "\$1,000,000" in the second line the words "or upwards," and by striking out all the words in the said section after the word "thereafter" in the sixth line and inserting in lieu thereof the words "at the close of each fiscal year the Treasurer of Ontario may pay to the Foundation a sum equivalent to the amount subscribed and paid in by individuals and corporations to the Foundation during that year as certified by the chairman," so that the section will now read as follows:

Payment  
up of  
subscrip-  
tions and  
contribu-  
tions by  
Govern-  
ment.

7. So soon as the chairman shall certify in writing to the Lieutenant-Governor in Council that the sum of \$1,000,000 or upwards has been subscribed and the sum of \$200,000 has been paid thereon, the Treasurer of Ontario may pay to the Foundation the sum of \$200,000 out of any moneys appropriated by the Legislature for that purpose and thereafter at the close of each fiscal year the Treasurer of Ontario may pay to the Foundation a sum equivalent to the amount subscribed by individuals and corporations to the Foundation during that year as certified by the chairman.

1928, c. 57,  
amended.

5. *The Research Foundation Act, 1928*, is amended by adding thereto the following sections:

Right to  
acquire  
patents, etc.

10a. The Foundation may apply for, or acquire by purchase, assignment or otherwise, rights in any patent of invention for industrial or other processes of any nature or kind whatsoever, and may sell and dispose of the same, or any interest therein, and grant or assign any rights which may be acquired by the Foundation thereunder.

Property  
not liable  
to assess-  
ment.

10b. The real and personal property, business and income of the Foundation shall not be subject to assessment or taxation for municipal or provincial purposes.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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**BILL.**

An Act to amend The Research  
Foundation Act.

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*1st Reading*

March 7th, 1929.

*2nd Reading*

*3rd Reading*

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MR. FERGUSON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty

# BILL

## An Act to amend The Research Foundation Act, 1928.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Research Foundation Act*, Short title.  
1929.

2.—(1) Subsection 2 of section 5 of *The Research Foundation Act, 1928*, is amended by striking out the words “members and” in the third line, so that the subsection will now read as follows: 1928, c. 57, s. 5, subs. 2, amended.

(2) The chairman shall preside at all meetings of the Foundation and shall have the control and direction of the administration of the Foundation and of the staff of the Foundation. Powers of chairman.

(2) The said section 5 is amended by adding thereto the following subsection: 1928, c. 57, s. 5, amended.

(4) The Lieutenant-Governor in Council may appoint from among the members of the Foundation not more than twenty-five persons to constitute an advisory board to act with the chairman, vice-chairman and executive officers of the Foundation. Advisory board, appointment of.

3. Subsection 1 of section 6 of *The Research Foundation Act, 1928*, is amended by striking out the figures “\$1,000,000” in the last line and inserting in lieu thereof the figures “\$2,500,000,” so that the subsection will now read as follows: 1928, c. 57, s. 6, subs. 1, amended.

(1) The Foundation may enter into an agreement in writing with such persons as may desire to become subscribers to the Foundation for receiving from such persons subscriptions of money in sums of \$100, or multiples thereof, until the sum of \$2,500,000 has been subscribed. Subscribers to Foundation.

1928, c. 57,  
s. 7,  
amended.

**4.** Section 7 of *The Research Foundation Act, 1928*, is amended by inserting after the figures "\$1,000,000" in the second line the words "or upwards," and by striking out all the words in the said section after the word "thereafter" in the sixth line and inserting in lieu thereof the words "on the 30th day of April and the 31st day of October of each fiscal year the Treasurer of Ontario may pay to the Foundation a sum equivalent to the amount subscribed by individuals and corporations to the Foundation during that period of the year as certified by the chairman," so that the section will now read as follows:

Payment  
up of  
subscriptions  
and  
contribu-  
tions by  
Govern-  
ment.

7. So soon as the chairman shall certify in writing to the Lieutenant-Governor in Council that the sum of \$1,000,000 or upwards has been subscribed and the sum of \$200,000 has been paid thereon, the Treasurer of Ontario may pay to the Foundation the sum of \$200,000 out of any moneys appropriated by the Legislature for that purpose and thereafter on the 30th day of April and the 31st day of October of each fiscal year the Treasurer of Ontario may pay to the Foundation a sum equivalent to the amount subscribed by individuals and corporations to the Foundation during that period of the year as certified by the chairman.

1928, c. 57,  
amended.

**5.** *The Research Foundation Act, 1928*, is amended by adding thereto the following sections:

Right to  
acquire  
patents, etc.

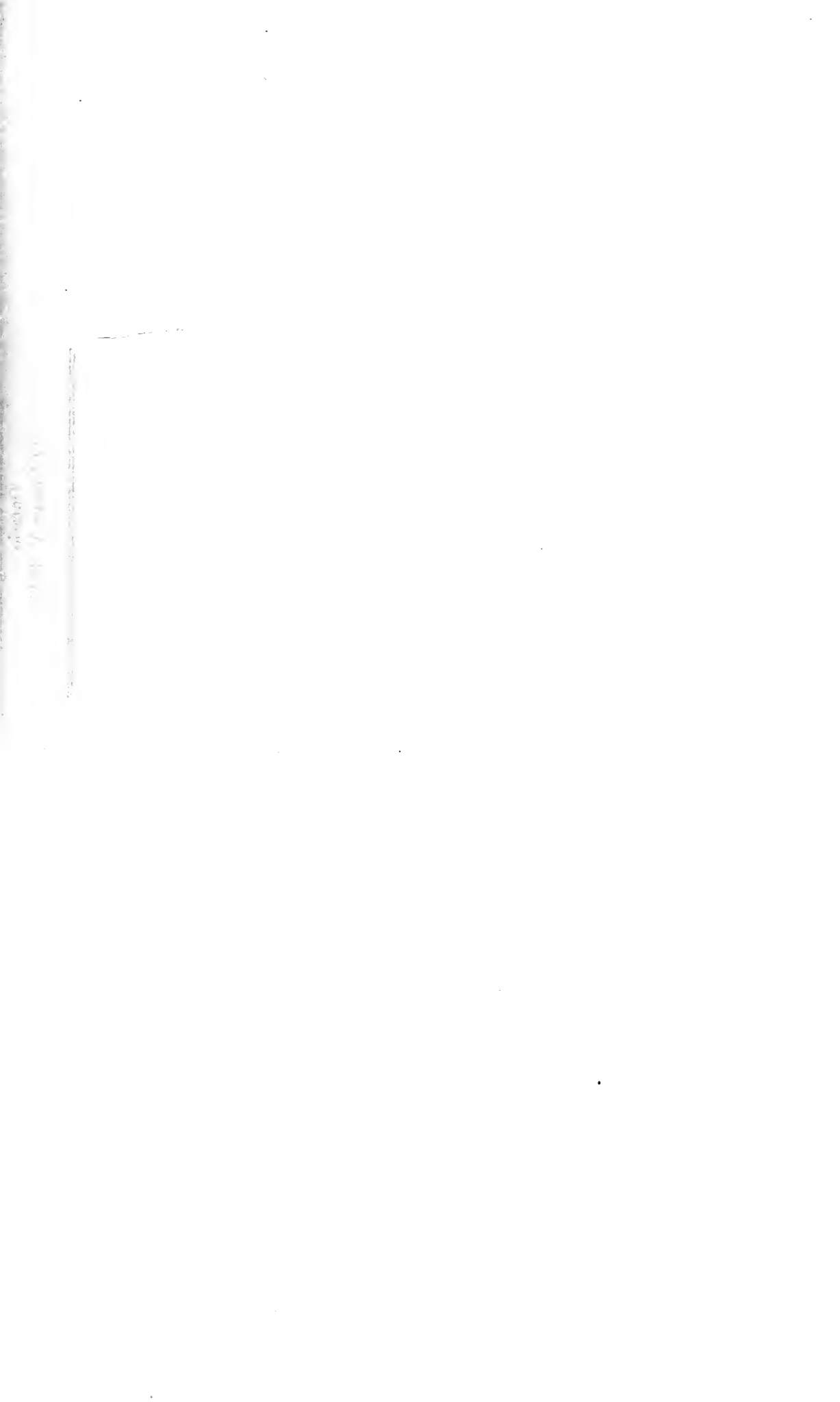
10a. The Foundation may apply for, or acquire by purchase, assignment or otherwise, rights in any patent of invention for industrial or other processes of any nature or kind whatsoever, and may sell and dispose of the same, or any interest therein, and grant or assign any rights which may be acquired by the Foundation thereunder.

Property  
not liable  
to assess-  
ment.

10b. The real and personal property, business and income of the Foundation shall not be subject to assessment or taxation for municipal or provincial purposes.

Commence-  
ment of Act.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Research  
Foundation Act.

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*1st Reading*

March 7th, 1929.

*2nd Reading*

March 28th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. FERGUSON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Insurance Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Insurance Act, 1929*. Short title.

2.—(1) Paragraph 5 of section 1 of *The Insurance Act* is amended by inserting after the word “not” in the second line, the words “aircraft or” so that the paragraph will now read as follows: Rev. Stat.,  
c. 222,  
s. 1, par. 5,  
amended.

5. “Automobile” includes all self-propelled vehicles, their trailers, accessories and equipment but not aircraft or the rolling stock of a railway corporation, as defined by *The Railway Act*. “Auto-  
mobile,”  
meaning of.  
Rev. Stat. c.  
224.

(2) The said section 1 is further amended by adding thereto the following paragraph: Rev. Stat.,  
c. 222, s. 1,  
amended.

6a. “Aviation Insurance” means insurance against liability for loss or damage to persons or property caused by an aircraft; and insurance against loss of or damage to an aircraft. “Aviation  
Insurance,”  
meaning of.

3. Subsection 3 of section 7 of *The Insurance Act* is repealed and the following substituted therefor: Rev. Stat.,  
c. 222,  
s. 7, subs. 3,  
repealed.

(3) No action or proceeding for the recovery of fees and penalties payable hereunder shall be commenced without the leave of the Superintendent. Leave.

4. Section 14 of *The Insurance Act* is amended by inserting after the word “insurer” in the third line, the words “agent or broker” so that the section will now read as follows: Rev. Stat.,  
c. 222, s. 14,  
amended.

14. The Superintendent, or any person authorized under his hand or seal of office, shall, at all reasonable times, have access to all the books, securities Access to  
books.

and documents of an insurer, agent or broker, which relate to contracts of insurance, and any officer or person in charge, possession, custody or control of such books, securities or documents who refuses or neglects to afford such access shall be guilty of an offence.

Rev. Stat.,  
c. 222, s. 16,  
subs. 1,  
amended.

**5.** Subsection 1 of section 16 of *The Insurance Act* is amended by inserting after the word "than" in the fourth line, the words "a mutual benefit society having less than three hundred members and" so that the subsection will now read as follows:

Annual  
inspection  
of insurers.

- (1) The Superintendent shall visit personally, or cause a duly qualified member of his staff to visit at least annually the head office or chief office in Ontario of every licensed insurer other than a mutual benefit society having less than three hundred members and an insurer incorporated and licensed by the Dominion of Canada and he shall verify the statements of the condition and affairs of each such insurer filed under this Act, and make such inquiries as are necessary to ascertain its condition and ability to provide for the payment of its contracts as they mature and whether or not it has complied with all the provisions of this Act applicable to its transactions and the Superintendent shall report thereon to the Minister as to all matters requiring his attention and decision.

Rev. Stat.,  
c. 222, s. 20,  
subs. 3,  
amended.

**6.** Subsection 3 of section 20 of *The Insurance Act* is amended by inserting after the word "insurer" in the third line the words "or which within Ontario maintains or operates either in its own name or in the name of its agent or other representative, any office for the transaction of the business of insurance either within or without Ontario" so that the subsection will now read as follows:

Carrying on  
business.

- (3) Any insurer undertaking insurance in Ontario or which within Ontario sets up or causes to be set up any sign containing the name of an insurer, or which within Ontario maintains or operates either in its own name or in the name of its agent or other representative, any office for the transaction of the business of insurance either within or without Ontario, or which, within Ontario distributes or publishes or causes to be distributed or published any proposal, circular, card, advertisement, printed form or like document, or which within Ontario makes or causes to be made any written or oral

solicitation for insurance, or which within Ontario issues or delivers any policy of insurance or interim receipt or collects or receives or negotiates for or causes to be collected or received or negotiated for any premium for a contract of insurance or inspects any risk or adjusts any loss under a contract of insurance, or which prosecutes or maintains in Ontario any action or proceeding in respect of a contract of insurance or any club, society or association incorporated or unincorporated which receives either as trustees or otherwise, any contributions or moneys from its members out of which gratuities or benefits are paid directly or indirectly upon the death of its members or any of them, shall be deemed to be an insurer carrying on business in Ontario within the meaning of this Act.

7. Section 21 of *The Insurance Act* is amended by adding thereto the following subsection: Rev. Stat., c. 222, s. 21, amended.

- (5) Any insurer incorporated and licensed by Ontario which carries on or solicits business in any foreign jurisdiction without being first authorized so to do under the laws of such foreign jurisdiction, shall be guilty of an offence. Unauthorized insurance.

8. Subsection 1 of section 24 of *The Insurance Act* is amended by inserting before the word "and" in the last line the words "aviation insurance" so that the subsection will now read as follows: Unauthorized insurance.

- (1) Subject to provisions of Parts of this Act particularly relating to classes of insurers mentioned in the preceding section, a license may be granted to an insurer to carry on any one or more of the following classes of insurance: Life insurance, accident insurance, sickness insurance, sick and funeral benefits, fire insurance, inland marine insurance, ocean marine insurance, inland transportation insurance, automobile insurance, guarantee insurance, liability insurance, hail insurance, weather insurance, live stock insurance, steam boiler insurance, plate glass insurance, explosion insurance, burglary insurance, bond insurance, property insurance, credit insurance, aviation insurance and forgery insurance. Classes of insurance.

9.—(1) Subsection 1 of section 74 of *The Insurance Act* is amended by adding at the end thereof the words "provided however, that any such insurer may, with the approval of the Superintendent, adopt the American Men Ultimate Rev. Stat., c. 222, s. 74, subs. 1, amended.

Table of Mortality A<sup>M</sup>(5) with interest at three and one-half per centum per annum, for the valuation of contracts issued on and after January 1st, 1929" so that the subsection will now read as follows:

Standard of valuation.

- (1) The valuation of contracts of life insurance issued by insurers incorporated and licensed under the law of Ontario except contracts of fraternal societies licensed under this Act, shall be based on the British Offices' Life Tables, 1893, O<sup>M</sup>(5), and on a rate of interest of three and one-half per centum per annum; provided, however, that any such insurer may, with the approval of the Superintendent, adopt the American Men Ultimate Table of Mortality A<sup>M</sup>(5) with interest at three and one-half per centum per annum, for the valuation of contracts issued on and after January 1st, 1929.

Rev. Stat., c. 222, s. 74, subs. 5, repealed.

- (2) Subsection 5 of the said section 74 is repealed and the following substituted therefor:

Contract must be self-supporting.

- (5) No insurer shall issue any contract of life insurance that shall not appear to be self-supporting upon reasonable assumption as to interest, mortality and expenses.

Rev. Stat., c. 222, s. 84, amended.

- 10.** Section 84 of *The Insurance Act* is amended by striking out the word "insurer" in the fourth line and inserting in lieu thereof the word "insured" so that the section will now read as follows:

Insurance where loss caused by insured through negligence.

84. It shall be lawful for an insurer to contract to indemnify an insured against financial loss occasioned by reason of liability to a third person whether or not the loss has been caused by the insured through negligence or while violating the provisions of any municipal by-law or any Act of this Legislature.

Rev. Stat., c. 222, s. 92, subs. 1, amended.

- 11.** Subsection 1 of section 92 of *The Insurance Act* is amended by striking out the words "the risk has been approved and" in the fourth line, and by inserting the words "has been" before the word "signed" in the fifth line, so that the subsection will now read as follows:

Signature of contract by licensed agent.

- (1) No licensed insurer shall undertake any contract of fire insurance upon property real or personal situate in Ontario or described in any contract as situate in Ontario, except after the contract, completed in accordance with section 97, has been signed or countersigned by a licensed agent who is a

resident of Ontario and who is to receive the commission or some part thereof when the premium stipulated in the contract is paid.

**12.**—(1) Subsection 1 of section 98 of *The Insurance Act* is amended by adding at the end thereof the words “nor shall anything contained in the description of the subject matter of the insurance be effective in so far as it is inconsistent with, varies, modifies or avoids any such condition” so that the subsection will now read as follows:

Rev. Stat.,  
c. 222, s. 98,  
subs. 1,  
amended.

- (1) The conditions set forth in this section shall be deemed to be part of every contract in force in Ontario, except contracts where the subject matter of the insurance is exclusively rents, charges or loss of profits, and shall be printed on every policy with the heading “Statutory Conditions” and, subject to the provisions of section 102, no variation, omission or addition thereto shall be binding on the insured, nor shall anything contained in the description of the subject matter of the insurance be effective in so far as it is inconsistent with, varies, modifies or avoids any such condition.

Statutory  
conditions.

(2) Subsection 2 of the said section 98 is repealed and the following substituted therefor:

Rev. Stat.,  
c. 222, s. 98,  
subs. 2,  
repealed.

- (2) Where the subject matter of the insurance is exclusively rents, charges or loss of profits, the conditions set forth in this section shall not be required to be part of any such contract or to be printed therein.

Loss of  
profits  
insurance.

**13.** Subsection 2 of section 99 of *The Insurance Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 222, s. 99,  
subs. 2,  
repealed.

- (2) A policy may contain a limitation of liability clause (or clauses) to the effect that the insurer shall only be liable for a specified proportion of any loss which may be sustained to any of the property covered by the policy, or to the effect that the insurer shall not be liable for more than a specified percentage of the value of any of the said property at the time of such loss, or, in the event of there being any other insurance covering any of the said property, to the effect that the insurer shall only be liable for a rateable proportion of a specified percentage or proportion of any loss to any of said property or to the effect that the insurer shall not be liable for more than a rateable proportion of a specified

Limitation  
of liability  
clause.

percentage of the value of any of the property at the time of such loss, in which case there shall be printed or stamped on the face of the policy, in conspicuous type, and in red ink, the words "This policy contains a limitation of liability clause." Such clause (or clauses) shall not be deemed to be a variation of any statutory condition.

Rev. Stat.,  
c. 222, s. 171,  
subs. 5,  
amended.

**14.** Subsection 5 of section 171 of *The Insurance Act* is amended by inserting after the word "application" in the first line, the words "and policy" so that the subsection will now read as follows:

Red ink  
endorse-  
ment.

(5) Upon every written application and policy there shall be printed or stamped in conspicuous type, not less in size than ten point, and in red ink, the following words:

"If the applicant falsely describes the property to the prejudice of the insurer or knowingly misrepresents or conceals or omits to communicate any circumstances required by this application to be made known to the insurer, the contract shall be void as to the property insured or risk undertaken in respect of which the misrepresentation or omission is made."

Rev. Stat.,  
c. 222,  
amended.

**15.** *The Insurance Act* is amended by adding thereto the following section:

Adjustment  
of loss  
where auto-  
mobile sold  
on deferred  
payment  
plan.

**172a.** Subject to any statutory condition, if any loss occurs under a policy issued to the purchaser of an automobile sold under the deferred payment plan, the insurer shall adjust the amount of the loss with the insured and not solely with the finance corporation concerned.

Rev. Stat.,  
c. 222, s. 173,  
repealed.

**16.** Section 173 of *The Insurance Act* is repealed and the following substituted therefor:

Contents  
of policy.

**173.** Every policy shall contain the name and address of the insurer, the name, address, occupation or business of the insured, the name of the person to whom the insurance money is payable, the premium for the insurance, the subject matter of the insurance, the indemnity for which the insurer may become liable, the event on the happening of which such liability is to accrue, and the term of the insurance.

Commence-  
ment of Act.

**17.** This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Insurance Act.

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*1st Reading*

March 7th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Insurance Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Insurance Act, 1929*. Short title.
  
- 2.—(1) Paragraph 5 of section 1 of *The Insurance Act* is amended by inserting after the word “not” in the second line, the words “aircraft or” so that the paragraph will now read as follows:
  5. “Automobile” includes all self-propelled vehicles, their trailers, accessories and equipment but not aircraft or the rolling stock of a railway corporation, as defined by *The Railway Act*. Rev. Stat.,  
c. 222,  
s. 1, par. 5,  
amended.  
  
“Auto-  
mobile,”  
meaning of.  
  
Rev. Stat. c.  
224.
  
- (2) The said section 1 is further amended by adding thereto the following paragraph:
  - 6a. “Aviation Insurance” means insurance against liability for loss or damage to persons or property caused by an aircraft; and insurance against loss of or damage to an aircraft. “Aviation  
Insurance,”  
meaning of.
  
3. Subsection 3 of section 7 of *The Insurance Act* is repealed and the following substituted therefor:
  - (3) No action or proceeding for the recovery of fees and penalties payable hereunder shall be commenced without the leave of the Superintendent. Rev. Stat.,  
c. 222,  
s. 7, subs. 3,  
repealed.  
  
Leave.
  
4. Section 14 of *The Insurance Act* is amended by inserting after the word “insurer” in the third line, the words “agent or broker” so that the section will now read as follows:
  14. The Superintendent, or any person authorized under his hand or seal of office, shall, at all reasonable times, have access to all the books, securities Rev. Stat.,  
c. 222, s. 14,  
amended.  
  
Access to  
books.

and documents of an insurer, agent or broker, which relate to contracts of insurance, and any officer or person in charge, possession, custody or control of such books, securities or documents who refuses or neglects to afford such access shall be guilty of an offence.

Rev. Stat.,  
c. 222, s. 16,  
subs. 1,  
amended.

5. Subsection 1 of section 16 of *The Insurance Act* is amended by inserting after the word "than" in the fourth line, the words "a mutual benefit society having less than three hundred members and" so that the subsection will now read as follows:

Annual  
inspection  
of insurers.

- (1) The Superintendent shall visit personally, or cause a duly qualified member of his staff to visit at least annually the head office or chief office in Ontario of every licensed insurer other than a mutual benefit society having less than three hundred members and an insurer incorporated and licensed by the Dominion of Canada and he shall verify the statements of the condition and affairs of each such insurer filed under this Act, and make such inquiries as are necessary to ascertain its condition and ability to provide for the payment of its contracts as they mature and whether or not it has complied with all the provisions of this Act applicable to its transactions and the Superintendent shall report thereon to the Minister as to all matters requiring his attention and decision.

Rev. Stat.,  
c. 222, s. 20,  
subs. 3,  
amended

6. Subsection 3 of section 20 of *The Insurance Act* is amended by inserting after the word "insurer" in the third line the words "or which within Ontario maintains or operates either in its own name or in the name of its agent or other representative, any office for the transaction of the business of insurance either within or without Ontario" so that the subsection will now read as follows:

Carrying on  
business.

- (3) Any insurer undertaking insurance in Ontario or which within Ontario sets up or causes to be set up any sign containing the name of an insurer, or which within Ontario maintains or operates either in its own name or in the name of its agent or other representative, any office for the transaction of the business of insurance either within or without Ontario, or which, within Ontario distributes or publishes or causes to be distributed or published any proposal, circular, card, advertisement, printed form or like document, or which within Ontario makes or causes to be made any written or oral

solicitation for insurance, or which within Ontario issues or delivers any policy of insurance or interim receipt or collects or receives or negotiates for or causes to be collected or received or negotiated for any premium for a contract of insurance or inspects any risk or adjusts any loss under a contract of insurance, or which prosecutes or maintains in Ontario any action or proceeding in respect of a contract of insurance or any club, society or association incorporated or unincorporated which receives either as trustees or otherwise, any contributions or moneys from its members out of which gratuities or benefits are paid directly or indirectly upon the death of its members or any of them, shall be deemed to be an insurer carrying on business in Ontario within the meaning of this Act.

7. Section 21 of *The Insurance Act* is amended by adding thereto the following subsection: Rev. Stat., c. 222, s. 21, amended.

- (5) Any insurer incorporated and licensed by Ontario which carries on or solicits business in any foreign jurisdiction without being first authorized so to do under the laws of such foreign jurisdiction, shall be guilty of an offence. Unauthorized insurance.

8. Subsection 1 of section 24 of *The Insurance Act* is amended by inserting before the word "and" in the last line the words "aviation insurance" so that the subsection will now read as follows: Rev. Stat., c. 222, s. 24, subs. 1, amended.

- (1) Subject to provisions of Parts of this Act particularly relating to classes of insurers mentioned in the preceding section, a license may be granted to an insurer to carry on any one or more of the following classes of insurance: Life insurance, accident insurance, sickness insurance, sick and funeral benefits, fire insurance, inland marine insurance, ocean marine insurance, inland transportation insurance, automobile insurance, guarantee insurance, liability insurance, hail insurance, weather insurance, live stock insurance, steam boiler insurance, plate glass insurance, explosion insurance, burglary insurance, bond insurance, property insurance, credit insurance, aviation insurance and forgery insurance. Classes of insurance.

9.—(1) Subsection 1 of section 74 of *The Insurance Act* is amended by adding at the end thereof the words "provided however, that any such insurer may, with the approval of the Superintendent, adopt the American Men Ultimate Rev. Stat., c. 222, s. 74, subs. 1, amended.

Table of Mortality A<sup>M</sup>(5) with interest at three and one-half per centum per annum, for the valuation of contracts issued on and after January 1st, 1929" so that the subsection will now read as follows:

Standard of valuation.

- (1) The valuation of contracts of life insurance issued by insurers incorporated and licensed under the law of Ontario except contracts of fraternal societies licensed under this Act, shall be based on the British Offices' Life Tables, 1893, O<sup>M</sup>(5), and on a rate of interest of three and one-half per centum per annum; provided, however, that any such insurer may, with the approval of the Superintendent, adopt the American Men Ultimate Table of Mortality A<sup>M</sup>(5) with interest at three and one-half per centum per annum, for the valuation of contracts issued on and after January 1st, 1929.

Rev. Stat., c. 222, s. 74, subs. 5, repealed.

- (2) Subsection 5 of the said section 74 is repealed and the following substituted therefor:

Contract must be self-supporting.

- (5) No insurer shall issue any contract of life insurance that shall not appear to be self-supporting upon reasonable assumption as to interest, mortality and expenses.

Rev. Stat., c. 222, s. 84, amended.

- 10.** Section 84 of *The Insurance Act* is amended by striking out the word "insurer" in the fourth line and inserting in lieu thereof the word "insured" so that the section will now read as follows:

Insurance where loss caused by insured through negligence.

84. It shall be lawful for an insurer to contract to indemnify an insured against financial loss occasioned by reason of liability to a third person whether or not the loss has been caused by the insured through negligence or while violating the provisions of any municipal by-law or any Act of this Legislature.

Rev. Stat., c. 222, s. 92, subs. 1, amended.

- 11.** Subsection 1 of section 92 of *The Insurance Act* is amended by striking out the words "the risk has been approved and" in the fourth line, and by inserting the words "has been" before the word "signed" in the fifth line, so that the subsection will now read as follows:

Signature of contract by licensed agent.

- (1) No licensed insurer shall undertake any contract of fire insurance upon property real or personal situate in Ontario or described in any contract as situate in Ontario, except after the contract, completed in accordance with section 97, has been signed or countersigned by a licensed agent who is a

resident of Ontario and who is to receive the commission or some part thereof when the premium stipulated in the contract is paid.

**12.**—(1) Subsection 1 of section 98 of *The Insurance Act* is amended by adding at the end thereof the words “nor shall anything contained in the description of the subject matter of the insurance be effective in so far as it is inconsistent with, varies, modifies or avoids any such condition” so that the subsection will now read as follows:

Rev. Stat.,  
c. 222, s. 98,  
subs. 1,  
amended.

(1) The conditions set forth in this section shall be deemed to be part of every contract in force in Ontario, except contracts where the subject matter of the insurance is exclusively rents, charges or loss of profits, and shall be printed on every policy with the heading “Statutory Conditions” and, subject to the provisions of section 102, no variation, omission or addition thereto shall be binding on the insured, nor shall anything contained in the description of the subject matter of the insurance be effective in so far as it is inconsistent with, varies, modifies or avoids any such condition.

Statutory  
conditions.

(2) Subsection 2 of the said section 98 is repealed and the following substituted therefor:

Rev. Stat.,  
c. 222, s. 98,  
subs. 2,  
repealed.

(2) Where the subject matter of the insurance is exclusively rents, charges or loss of profits, the conditions set forth in this section shall not be required to be part of any such contract or to be printed therein.

Loss of  
profits  
insurance.

**13.** Subsection 2 of section 99 of *The Insurance Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 222, s. 99,  
subs. 2,  
repealed.

(2) A policy may contain a limitation of liability clause (or clauses) to the effect that the insurer shall only be liable for a specified proportion of any loss which may be sustained to any of the property covered by the policy, or to the effect that the insurer shall not be liable for more than a specified percentage of the value of any of the said property at the time of such loss, or, in the event of there being any other insurance covering any of the said property, to the effect that the insurer shall only be liable for a rateable proportion of a specified percentage or proportion of any loss to any of said property or to the effect that the insurer shall not be liable for more than a rateable proportion of a specified

Limitation  
of liability  
clause.

percentage of the value of any of the property at the time of such loss, in which case there shall be printed or stamped on the face of the policy, in conspicuous type, and in red ink, the words "This policy contains a limitation of liability clause." Such clause (or clauses) shall not be deemed to be a variation of any statutory condition.

Rev. Stat.,  
c. 222, s. 171,  
subs. 5,  
amended.

**14.** Subsection 5 of section 171 of *The Insurance Act* is amended by inserting after the word "application" in the first line, the words "and policy" so that the subsection will now read as follows:

Red ink  
endorse-  
ment.

(5) Upon every written application and policy there shall be printed or stamped in conspicuous type, not less in size than ten point, and in red ink, the following words:

"If the applicant falsely describes the property to the prejudice of the insurer or knowingly misrepresents or conceals or omits to communicate any circumstances required by this application to be made known to the insurer, the contract shall be void as to the property insured or risk undertaken in respect of which the misrepresentation or omission is made."

Rev. Stat.,  
c. 222,  
amended.

**15.** *The Insurance Act* is amended by adding thereto the following section:

Adjustment  
of loss  
where auto-  
mobile sold  
on deferred  
payment  
plan.

172a. Subject to any statutory condition, if any loss occurs under a policy issued to the purchaser of an automobile sold under the deferred payment plan, the insurer shall adjust the amount of the loss with the insured and not solely with the finance corporation concerned.

Rev. Stat.,  
c. 222, s. 173,  
repealed.

**16.** Section 173 of *The Insurance Act* is repealed and the following substituted therefor:

Contents  
of policy.

173. Every policy shall contain the name and address of the insurer, the name, address, occupation or business of the insured, the name of the person to whom the insurance money is payable, the premium for the insurance, the subject matter of the insurance, the indemnity for which the insurer may become liable, the event on the happening of which such liability is to accrue, and the term of the insurance.

Commence-  
ment of Act.

**17.** This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Insurance Act.

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*1st Reading*

March 7th, 1929.

*2nd Reading*

March 11th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Corporations Tax Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Corporations Tax Act, 1929*. Short title.

2. Section 1 of *The Corporations Tax Act* is amended by adding thereto the following clause: Rev. Stat., c. 29, s. 1, amended.

(1) "Finance Company" shall mean and include a corporation authorized under any law in force in Ontario to buy, sell and deal in stocks, bonds, debentures, mortgages, personal property securities, notes and obligations, or any of them. "Finance Company."

3. Section 3 of *The Corporations Tax Act* is amended by adding thereto the following subsection: Rev. Stat., c. 29, s. 3, amended.

(22) Every finance company shall pay,— Tax on finance company.

(a) a tax of one-tenth of one per centum of the paid-up capital thereof, and in addition thereto a tax of one per centum, calculated on the gross annual income of the company in excess of four per centum of the paid-up capital on business transacted within Ontario;

(b) an additional tax of \$1,000 for the principal office in Ontario.

4. Section 12 of *The Corporations Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 29, s. 12, repealed.

12. There shall be levied a tax as herein provided, payable by the transferor, upon every change of ownership consequent upon the sale, transfer or assignment of shares, or debenture stock, or certificates of rights to stock, or certificates of deposit Tax on transfer of shares, stock certificates, etc.

representing certificates taxable under this Act, or agreements to sell such certificates in any domestic or foreign association, company or corporation, or certificates of interest in business conducted by a trustee or trustees, whether made upon or shown by the books of the association, company, corporation or trustee; or by any assignment in blank or by any delivery, or by any paper or agreement or memorandum or other evidence of sale or transfer, whether intermediate or final, and whether investing the holder with the beneficial interest in or legal title to said stock or other certificates taxable hereunder or merely with the possession or use thereof for any purpose, or to secure the future payment of money, or the future transfer of any such stock or certificates, on each one hundred dollars of the face value or fraction thereof,—three cents; except in cases where the shares or certificates are issued without designated monetary value in which cases the tax shall be at the rate of three cents for each and every share, provided that in the case of shares which are issued without designated monetary value by a mining company, the tax shall be three cents for every one hundred dollars or fraction thereof of the market value of such shares.

Rev. Stat.,  
c. 29, s. 16,  
repealed.

5. Section 16 of *The Corporations Tax Act* is repealed and the following substituted therefor:

When tax  
not to  
apply.

16. The next preceding four sections shall not apply so as to impose a tax upon the first delivery by the corporation or company of such shares or debenture stock in order to effect an issue, nor upon an agreement evidencing the deposit of certificates as collateral security for money loaned thereon, which certificates are not actually sold, nor upon such certificates so deposited, nor upon deliveries or transfers to a broker for sale, nor upon deliveries or transfers by a broker to a customer for whom and upon whose order he has purchased the same where such deliveries or transfers are accompanied by a certificate setting forth the facts, nor in respect to shares or certificates of stock or certificates of rights to stock or certificates of deposit representing certificates of the character taxed by this Act, in any association, company or corporation, if neither the sale, nor the agreement to sell, nor the memorandum of sale, nor the delivery is made in Ontario and no act necessary to effect the transfer is done in Ontario.

**6.** Subsection 5 of section 24 of *The Corporations Tax Act* <sup>Rev. Stat .</sup>  
 is amended by striking out all the words after the word <sup>c. 29, s. 24,</sup>  
 "corporation" in the third line, so that the subsection will <sup>subs. 5,</sup>  
 now read as follows: <sup>amended.</sup>

(5) The balance remaining at the credit of each municipal <sup>Payment</sup>  
 corporation after deducting such charge shall be <sup>of balance.</sup>  
 forthwith paid by the Treasurer to the corporation.

**7.** This Act shall come into force on the day upon which <sup>Commence-</sup>  
 it receives the Royal Assent. <sup>ment of Act.</sup>

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Corporations Tax  
Act.

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*1st Reading*

March 7th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MONTGOMERY.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Windsor, Essex and Lake Shore Rapid Railway Company.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Windsor, Essex and Lake Shore Rapid Railway Act, 1929.* Short title.

**2.** In this Act,—

- (a) The words "Association" and "Railway" shall have the same meaning as in *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928;* Interpretation.  
"Association,"  
"Railway."  
1928,  
c. 99.
- (b) "Commission" shall mean The Hydro-Electric Power Commission of Ontario; "Commission."
- (c) "Corporations" shall mean and include the corporations named in clause *a* of section 2 of *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and such municipal corporations as may from time to time be added and become parties to the Agreement set out in Schedule "A" to this Act; "Corporations."
- (d) "Working Expenditure" shall have the same meaning as in *The Railway Act.* "Working expenditure"  
Rev. Stat.,  
c. 224.

**3.** Subject to the provisions hereinafter contained, the agreements entered into between the Windsor, Essex and Lake Shore Electric Railway Association and the Corporations set out in Schedule "A" hereto, and the agreement entered into between the said Association and The Hydro-Electric Power Commission of Ontario, dated the 3rd day of January, 1929, and set out in Schedule "B" hereto, are confirmed and declared to be legal, valid and binding upon the said Association and the said Corporations and each of them respectively and the Commission, and the Association and the said Corporations and each of them respectively and the Commission are declared to have and may exercise all the Agreements confirmed.

rights, powers and privileges and may issue all securities, execute all instruments and do all other things necessary to carry out the terms of the said agreements.

Bonds for working expenditure.

4.—(1) For the purpose of providing capital for working expenditure of the Railway or any extension thereof or work connected therewith and of providing for any deficit caused by the revenues of the said Railway being insufficient to meet the working expenditure in any year and of providing for any other charges or liabilities for which the Association may be responsible or for any of the said purposes, the Association is hereby authorized to issue and shall issue debentures of the Association to the principal amount of Two Hundred Thousand Dollars (\$200,000).

Terms of debentures.

(2) The debentures to be issued under this section shall bear such date, carry such rate of interest, be payable at such place or places and in such moneys and be upon such terms and conditions and mature within such period from the date thereof as the Commission may require.

Debentures may be a charge.

(3) Subject as hereinafter in this subsection provided, the Commission on behalf of and in the name of the Association may declare that the debentures issued under this section are charged upon and secured by such assets of the Railway in such manner and upon such terms and provisions and subject to such conditions as the Commission may deem advisable, but in relation to the said assets all debentures issued under this section shall be junior and subordinate to and rank after all bonds heretofore or hereafter issued by the Association to cover capital expenditure as provided in the said agreement between the Association and the Corporations.

Debentures not to be counted in ascertaining limit of borrowing powers. Rev. Stat., c. 233.

(4) Debentures and debts which are by this Act made obligations of the Corporation shall not be included in ascertaining the limits of the borrowing powers of the Corporations as prescribed by *The Municipal Act*, and the said debentures and debts shall be obligations of the Corporations notwithstanding the limitations prescribed by *The Municipal Act*.

Association shall deposit \$100,000

5.—(1) The Association is hereby authorized to and shall deliver to the Commission debentures of the Association issued under section 4 of this Act to the principal amount of \$100,000.

Commission may borrow.

(2) For any of the purposes set forth in section 4 of this Act the Commission from time to time on behalf of and in the name of the Association may borrow such amounts as the Commission may deem advisable, and may deposit, pledge, hypothecate, charge, sell or otherwise deal with any of the debentures delivered to it by the Association under this section.

(3) The Commission shall not be bound to undertake the operation of the Railway or any work or obligation under the Agreement set out in Schedule "B" to this Act until the Association shall have issued and delivered to the Commission the said debentures of the principal amount of \$100,000.

(4) For any of the purposes set out in section 4 or for the purpose of paying interest on the bonds of the Association, or for paying to the Commission the amount as required by the Commission of any deficit or deficits or the amount of any expenditure, liability or obligation incurred by the Commission in any financial year, the Association from time to time may borrow such amounts as the Association may deem advisable upon the security of the debentures issued under the authority of section 4 and not delivered to the Commission, and may deposit, pledge, hypothecate, charge, sell or otherwise deal with any of the said debentures.

6.—(1) Notwithstanding that the said debentures may purport to be obligations of the Association only and that any borrowing purported to be done under the authority of this Act may purport to be done on behalf of the Association only, the said debentures of the Association and the amounts so borrowed shall be direct obligations of the Corporations and each of the Corporations shall be jointly and severally liable therefor and for every indebtedness created by or in connection with the said debentures or for which any of them shall be security; and the amount for which any Corporation is liable under this section shall be a debt due from the Corporations and each of them to the holder of any of the said debentures or the person lending the money so borrowed and upon default in payment thereof or of the interest thereon the same may be recovered by action at the suit of such holder in any court of competent jurisdiction.

(2) No person, bank, firm or corporation lending money upon the security of the said debentures or any of them shall be bound to look into the purposes for which the money so lent is borrowed and the provisions of subsection 1 of this section shall apply notwithstanding that the moneys borrowed may be borrowed or used for purposes other than those authorized by this Act.

7. The Association from time to time shall issue debentures of the Association to such amount as may be determined by the Commission as necessary to provide further capital for the completion of the rehabilitation of the Railway and shall sell, pledge or hypothecate the same and pay the proceeds to the Commission and debentures issued under this section shall be a liability of the Association and the Cor-

porations in the same manner and to the same extent as debentures issued by the Association under section 4.

Association's  
expenses of  
organization.

**8.**—(1) The expenses incurred in and incidental to the creation and organization of the Association to such amount as shall be approved by the Commission may be paid by the Commission as part of the capital expenditure for the acquisition and rehabilitation of the Railway.

Association's  
administra-  
tion  
expenses.

(2) All other expenses of administration of the Association and all gratuities, salaries and other remuneration of the members and officers of the Association shall subject to the approval of the Commission be payable as part of the working expenditure of the Railway.

Association  
shall appoint  
executive  
committee.

**9.** The Association shall appoint an executive committee to consist of the chairman and vice-chairman and three other members of the Association, and it shall be the duty of the executive committee,—

- (a) To supervise and direct the business of the Association;
- (b) To appoint such officers and employees as it may deem necessary for the conduct of the business of the Association and prescribe their duties and fix their remuneration;
- (c) To supply to the members of the Association on or before the twenty-fifth day of each month a statement of income and expenditure of the Association for the calendar month last preceding.
- (d) Adjust and apportion all amounts to be paid to the Association by the Corporations;
- (e) To take all steps necessary for the collection by legal process or otherwise of any amounts payable to the Association by the Corporations which shall remain in default for a period of one month;
- (f) Adjust and apportion between the corporations any annual surplus arising from operation of the railway.

Payment of  
deficit by  
Association.

**10.**—(1) Whenever the Association shall be under obligation to pay to the Commission the amount of any deficit or deficits or the amount of any expenditure, liability or obligation incurred by the Commission in any financial year, the Commission shall require the amount thereof to be paid by the Association, and for such purpose the Commission shall



mail to the Chairman of the Association by registered post a requisition specifying the amount to be paid by the Association and such requisition shall be final and conclusive as to the amount due and payable by the Association and shall not be open to question in any action or proceeding; the Association within four months from the mailing of the said requisition shall pay to the Commission the amount specified therein.

(2) So soon as the requisition shall have been mailed to the Chairman of the Association, the Executive Committee of the Association herein provided for shall forthwith apportion the amount shown due by the said requisition among the Corporations in the proportions in which the Corporations have contributed debentures for capital expenditure of the Railway, and shall serve a requisition on each of the said Corporations specifying the amount to be paid by such Corporation, and such apportionment and such requisition shall be final and conclusive as to the amount due and payable by each said Corporation and shall be binding upon the Corporation and shall not be open to question in any action or proceeding; each of the Corporations shall pay to the Association the amount specified in the requisition served on the Corporation within one month from the date on which such requisition shall have been served on the Corporation as aforesaid.

Executive  
Committee  
shall ap-  
portion.

(3) In any financial year whenever the Association shall have borrowed any money under the authority of subsection 4 of section 5 of this Act or shall have incurred any other expense or liability in respect of the Railway other than that mentioned in subsection 1 of this section, the Association immediately after the end of the said financial year shall proceed to collect the amount thereof from the Corporations in the proportions and in the manner set out in subsection 2 of this section.

Association  
shall collect  
from Cor-  
porations.

(4) Each of the Corporations shall assess, levy and collect the moneys to be paid by it under this section by special rate on all the rateable property within the municipality or within the area in such municipality described in Schedule "C" to the agreement set out as Schedule "A" to this Act and such additional area as may be added by by-law passed under the authority of section 14 of this Act and pending the collection thereof may temporarily borrow the amount thereof on the credit of the Corporation from any bank or person.

Corporations  
shall raise  
amount due.

(5) If any of the Corporations fail to pay the amount specified in the said requisition within one month after the same shall have been served the said amount shall be recoverable by action at the suit of the Association in any court of competent jurisdiction.

On default  
Association  
shall  
recover.

Liability of corporations for working capital not impaired.

(6) Nothing contained in this section shall lessen or in any way impair the joint and several liability of each of the Corporations to pay the principal and interest of any debt contracted under the provisions of this Act by the Association or by the Commission on its behalf.

Commission may terminate.

**11.**—(1) The Commission in its discretion at any time by notice in writing mailed to the Chairman of the Association by registered mail may terminate the agreement set forth in Schedule "B" to this Act, and the Association at any time may terminate the said agreement with the approval of the Commission and with the approval of the majority of the Corporations signified in each case by resolution of the council of the Corporation under its corporate seal.

Agreement shall be terminated on default.

(2) The agreement shall be terminated and shall cease to be operative if,—

- (a) The Association shall make default in payment of any amount demanded by the Commission and such default shall continue for a period of four months;
- (b) The Association shall make default in the payment of any amount required to meet interest or on sinking fund account on its bonds and such default shall continue for a period of six months, or
- (c) The trustee, mortgagee, acting for or on behalf of the bondholders shall take possession of the undertakings of the Association under the terms of the mortgage given to secure payment of said bonds by reason of any default in complying with the provisions thereof;

And forthwith the Commission shall cease to operate the Railway and the executive committee of the Association shall take over the management and operation thereof.

Adjustment on termination.

(3) Upon the termination of the Agreement under either of the two next preceding sections the Commission shall be entitled to retain any moneys in its hands as security for any amount which may be owing to it or for which it may be liable on account of the operation of the Railway or for any obligation assumed by it and, subject to the charge in favour of the bondholders, the Commission shall have a lien upon the assets of the Railway for every such amount, and, in addition, the Commission shall be entitled to sell and dispose of any debentures of the Association in its hands in such manner as it sees fit.

**12.** Nothing in this Act contained shall be taken to affect the operation of the provisions of section 9 of the said *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and if any Corporation shall hereafter become a party to the agreement set out in Schedule "A" and execute the same as provided in the said section, the provisions of the last-mentioned Act, this Act and the said agreements shall extend to and be binding upon the Corporation.

Saving as to 1928, c. 99, s. 9.

**13.** Any moneys at the credit of the sinking fund mentioned in subclause *d* of clause 3 of the said agreement between the Association and the Corporations or any other moneys in the hands of the Association may be applied from time to time in the purchase or redemption of bonds, debentures or other securities issued by the Association under the said clause at such time or times and in such manner and for such price or prices as the Association may deem desirable.

Application of sinking fund to redeem bonds.

**14.—**(1) Schedule "C" to the said agreement between the Association and the Corporations is amended by striking out the clause numbered 6 and substituting therefor the following:—

Amendment of Agreement as to Gosfield.

(6) *Township of Gosfield North.*

All of the Township of Gosfield North.

(2) Wherever only a district in a municipality is described in the said Schedule "C" the council of any such municipal corporation may by by-law passed by the affirmative vote of all those members of the council who are present at a meeting called to consider the by-law, require all sums to be raised, levied and collected for the payment of debentures or for any other purposes under the terms of *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, or of this Act or any amendment or of the said agreements or either of them, to be raised, levied and collected upon all the rateable property in the municipality instead of in the district set out in said Schedule "C" and the said Schedule shall thereupon be amended accordingly.

Raising contribution by general rate.

**15.** For the purpose of operating and carrying on the Railway the Commission shall have and may exercise all the rights, powers and privileges of the Association in the same manner and to the same extent as a company owning and operating a railway under *The Railway Act* of Ontario, except that the Commission shall have no power to issue bonds, debentures or other securities or undertake any financial obligation whereby the Commission becomes in any way liable, except as the agent of and in the name of the Association, and all bonds, debentures and other securities required to be issued for the purpose of the said Railway and all such financial obligations shall be issued, undertaken and performed by and in the name of the Association.

Duties and powers as to operation of Railway.

Responsibility of Association and Corporations.

**16.** It is the true intent and meaning of this Act, *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and the said agreements that the Commission shall be deemed in all matters arising out of this Act, the said Act of 1928, and agreements or any of them, to act solely as the agent of the Association and the Corporations, and neither the Commission nor the Province of Ontario shall be liable in any manner for any debt, liability or obligation in respect of the railway or anything done or undertaken by the Commission in relation thereto except to the extent of moneys received by the Commission as revenue from operation of the railway or other assets of the Association or the Corporations from time to time in its possession or control and available for such liabilities, nor shall the Commission be liable in any manner for any debt, liability or obligation of the Association, and the Association and the Corporations jointly and severally shall be responsible for every such debt, liability or obligation and shall indemnify and save harmless the Commission therefrom, and no action or other proceeding shall lie or be taken against the Commission in respect of any such debt, liability or obligation but every such action may be taken against the Association and the Corporations or one or more of them.

Sections of *Railway Act* not to apply.

**17.** Sections 177 to 185 inclusive and sections 187 to 201 inclusive of *The Railway Act* shall not apply to the Commission or the Association or the railway mentioned in the agreement set out as Schedule "B" to this Act.

Assent of electors not required.

**18.** It shall not be necessary to submit for the assent of the electors any by-law passed by the municipal council of any of the Corporations to incur any debt or to authorize the issue of any debentures for any purpose whatsoever under or pursuant to this Act or either of the agreements set out as Schedules "A" and "B" hereto.

1928, c. 99, s. 3, amended.

**19.** Section 3 of *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, is amended by adding thereto the following clause:—

- (a) Every member of the Association shall be a resident of the municipality represented by him and in case any member heretofore or hereafter appointed shall cease to be a resident of the municipality represented by him his seat shall *ipso facto* become vacant and the council of the municipality represented by him shall thereupon appoint another member in his place.

Commencement of Act.

**20.** This Act shall come into force on the day upon which it receives the Royal Assent and shall be retroactive and have effect as from the 20th day of June, 1928.

THIS INDENTURE made the 3rd day of January A.D. 1929.

BETWEEN:—

WINDSOR, ESSEX AND LAKE SHORE ELECTRIC RAILWAY ASSOCIATION, hereinafter called the "ASSOCIATION"

*of the First part,*

—and

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO, hereinafter called the "COMMISSION"

*of the Second part*

WHEREAS the Association has been duly created and constituted under and in accordance with The Windsor, Essex and Lake Shore Rapid Railway Act, 1928, 18 Geo. V, Chapter 99;

AND WHEREAS the Association has entered into agreement in the form set out in the Schedule to the said Act with certain of the Municipal Corporations mentioned in the said Act for the acquisition and operation by the Association on behalf of the Corporations from time to time parties to the said Agreement (hereinafter called the "Corporations") of the electric railway now known as the Windsor, Essex and Lake Shore Rapid Railway, (hereinafter called the "Railway");

AND WHEREAS the Association has acquired the said Railway;

NOW, THEREFORE, THIS INDENTURE WITNESSETH that in consideration of the premises and for the considerations herein contained the Parties hereto mutually covenant, promise and agree as follows:—

1. The Association hereby authorizes and appoints the Commission as the agent of and on behalf of the said Association and said Corporations to manage, construct, rehabilitate, extend, complete, equip, maintain and operate the said Railway, and the Commission, as such agent and subject to all the terms, conditions, provisoes and stipulations herein contained, accepts the said appointment and agrees to efficiently perform its duties in connection therewith; and to exercise all due skill and diligence so as to secure the most effective operation and service of the Railway; and the Commission as agent of the Association may have, enjoy, exercise and perform all the rights, powers, authorities, privileges, immunities, duties and obligations of the Association with respect to the Railway and the management, construction, rehabilitation, extension, completion, equipment, maintenance, operation, improvement, betterment, renewal and insurance thereof except always with respect to the issue of bonds.

2. The Commission shall be under no obligation whatever to commence or having commenced to proceed with the rehabilitation, construction and equipment of the Railway, or to proceed with any extensions, improvements or additional works or equipment of any kind in connection with the Railway except according to plans and specifications furnished by the Commission and authorized and approved by resolution of the Association, and any amendments or additions thereto or modifications thereof which shall be made by the Commission, nor unless the Association shall have furnished the Commission with the moneys, or given the Commission security satisfactory to the Commission for payment to the Commission of the moneys estimated by the Commission from time to time to be necessary to complete the said rehabilitation, construction, equipment, extensions, improvements, additional works and equipment, nor unless the Association shall have carried out and complied with all statutory requirements to be observed and performed by the Association, but the Commission shall be fully protected in acting according to such authorization and approval and shall be under no obligation to see to the observance or performance by the Association of said statutory requirements, and the Commission in carrying out any such work may make such amendments or additions to or modifications of such plans and specifications which in its sole discretion the Commission may deem to be necessary or desirable and the authorization and approval of the work by the Association according to the original

plans and specifications shall be effective as an authorization and approval of the work according to said original plans and specifications as so amended added to, or modified;

3. As part of the operation of the Railway, the Association authorizes the Commission:—

3. (a) to regulate and fix the fares and rates of toll to be collected by the Railway for all classes of service;

3. (b) to utilize the right-of-way and property of the Railway for all purposes from which it is possible to obtain a profit;

3. (c) Subject to the provisions of any Trust Indenture securing any bonds issued by the Association, to combine the equipment works and other property of the Railway with that used for power purposes by the Commission and for other railways operated by the Commission where such combination is in the opinion of the Commission feasible and may prove economical; and to apportion annually all charges respecting such equipment, works and other property in a fair manner having regard to the service furnished; provided that such apportionment may be by way of rental charges or otherwise; the apportionment of the Commission shall be final and binding;

3. (d) to permit and obtain interchange of traffic with other railways wherever possible and profitable.

4. THE ASSOCIATION SHALL:—

(a) furnish a free right-of-way for the Railway over any property of the Association and use its best endeavours to secure a free right-of-way for the Railway over the property of any of the Corporations upon request of the Commission and secure to the Commission free use of all land, property and other facilities available to the Association;

4. (b) make no agreement or arrangement with and grant no franchise, license or inducement to any other railway or transportation company, body corporate or commission without the written consent of the Commission; and take all means within the power of the Association to ensure to the Commission the exclusive right of furnishing in any manner whatsoever local transportation within the boundaries of any of the Corporations;

4. (c) keep, observe and perform the covenants, provisos and conditions set forth in this contract intended to be kept, observed and performed by the Association, and execute such further and other documents and pass such By-laws and Resolutions as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this contract, and use its best endeavour to secure from the said Corporations such further and other documents and By-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this contract;

4. (d) issue all bonds, debentures and other securities, collect and pay over all moneys and generally do all acts and carry out all obligations required or imposed in addition to or substitution for any of the provisions of this agreement by any Statute of Ontario relating to the said Railway.

5. The Commission to the extent that the same may be available shall apply the revenue derived from operation of the Railway and all other revenue derived from the undertaking to the payment of working expenditure including the supply of electrical power or energy and to meet the cost of administration and such other deductions as are provided for in this agreement; the Commission may in its discretion set aside from any revenue thereafter remaining such sum each year as the Commission may determine to be desirable for the renewal of any works belonging in whole or in part to the undertaking and for reserves for working expenditure, for obsolescence, depreciation, and contingencies; and provided the Association be not in default under this agreement, the Commission shall pay over annually to the Association all surplus that remains after providing for the

foregoing items in this clause; the decision of the Commission as to what is included under this clause and what is capital expenditure shall be final and binding.

6. The Association shall be responsible for and bear all costs in relation to the Railway, its property and works, including without limiting the generality of the foregoing all cost of acquiring, rehabilitating, constructing, equipping, operating, maintaining, repairing, renewing and insuring the Railway and the Commission shall be under no obligation whatever to provide any moneys therefor.

7. In case the Commission shall at any time or times be prevented from operating the Railway or any part thereof by strike, lock-out, riot, fire, invasion, explosion, hurricane, flood, act of God or the King's enemies, or any other cause which may reasonably be deemed to be beyond its control, then the Commission shall not be bound to operate the Railway or such part thereof during such time, but the Association shall not be relieved from any liability or payment under this contract and as soon as the cause of such interruption is removed the Commission shall without any delay continue operation of the Railway, and the Association shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

8. Subject to the provisions of any Trust Indenture securing any bonds issued by the Association the Commission may, and the Association hereby authorizes the Commission, to unite the business of the Railway with that of any other railway system operated in whole or in part by the Commission and to acquire, equip and operate busses and bus lines instead of any line or lines of the Railway or by way of extension thereof wherever it may appear to the Commission advantageous and profitable from time to time, and to exchange equipment and operators from one system to another, provision being made so that each system shall pay its proportionate share as adjusted by the Commission of the cost of any operators and of any equipment and other property used in common including the cost of operation thereof; provided that the acquisition or lease of, or obtaining of running rights over, any steam railway, electric or street railway or bus line or any part thereof may be deemed a uniting of business as aforesaid or may be included as part of the Railway maintained or operated by the Commission under this contract.

9. Without the approval of the Commission, the Association shall not make any extension to the Railway or construct any other railway or acquire, undertake, lease or obtain running rights over any steam railway, or other electric railway or any street railway or any buses or bus line or any part thereof; but when so approved the same shall in every case become part of the Railway.

10. The Association covenants and agrees with the Commission to cooperate by all means in its power at all times with the Commission in creating the most favourable conditions for the carrying out of the objects of this contract and for increasing the revenue of the Railway and for insuring its success.

11. In any financial year if for any reason there be a deficit because the revenue derived from the operation of the Railway and all other revenue derived from the undertaking be insufficient to meet the working expenditure including the supply of electrical power or energy and to meet the cost of administration and such other deductions as are provided for in this agreement and such sum as the Commission may determine as desirable to set aside for the renewal of any works belonging in whole or in part to the undertaking and for reserves for working expenditure, obsolescence, depreciation and contingencies, or if there be a deficit because the moneys furnished by the Association to the Commission shall be insufficient to meet the cost, either estimated or actual, of the rehabilitation, construction, equipment, management or operation of, or of extensions, improvements, additional works and equipment for, the Railway which may be undertaken by the Commission pursuant to this agreement as the agent of the Association and on behalf of the Association and the Corporations, or if the Commission shall have made any expenditure or incurred any liability or obligation whatever in connection with the rehabilitation, construction, equip-

ment, management, or operation of, or with extensions, improvements or other work and equipment for or in connection with the Railway to meet which sufficient moneys have not been furnished by the Association to the Commission, the amount of such deficit or deficits, and the amount of such expenditures, liabilities and obligations, shall be forthwith upon demand paid to the Commission by the Association; and the Commission, so long as such expenditures, obligations and liabilities are not paid or satisfied shall have a lien therefor upon the Railway and all land, equipment, works and other property held or used in connection therewith, which lien shall, however, be subject and subordinate to the lien or charge created by statutory authority or by any trust indenture in favour of the holders of any of the Bonds of the Association or in favour of any Trustee for the holders of such Bonds.

12. If the Association should fail to perform any obligation under this agreement or if any Corporation should fail to perform any obligation under the said Act or any other Act now or hereafter passed or any amendment thereto, or under the said agreement or in connection with the Railway, the Commission in addition to all other remedies and without liability to the Commission may with or without notice and in its absolute discretion discontinue the service of the Railway in whole or in part and also terminate this agreement, and upon such termination the Commission shall have no further obligation under this agreement; no such discontinuance of service shall relieve the Association or any Corporation from the performance of any obligation contained in this agreement or to be performed under the said Acts or any amendments thereto or the said agreement between the Association and the Corporations.

13. Whenever any Municipal or other work is carried out which in any way affects the Railway but is not a portion of the Railway, no part of the cost of the same shall be charged against the revenue of the Railway but the said cost shall be paid by the Corporation or Corporations within the boundaries of which the work is done, and the said Corporation or Corporations shall indemnify and save harmless the Association and the Commission therefrom; EXCEPTING always in special cases of small matters where the Commission may be willing that such cost be treated and paid as working expenditure.

14. If at any time the Commission deem it necessary for proper and efficient operation of the Railway to construct a connection or connections between the Railway and any other railway operated by the Commission, the Commission may construct such connection and the cost thereof shall be apportioned by the Commission between the Railway and such other railway operated by the Commission, and such apportionment may be by way of rental charges or otherwise; provided that the part of the cost apportioned to the Railway under this agreement shall be met as the Commission may determine.

15. (1) The Commission shall not be liable to the Association or the Corporations or otherwise in any way by reason of any error or omission in any reports, estimates, plans or specifications made for the Association prior to the entering upon this contract, or made thereafter in pursuance thereof or for any act or omission of the Commission in exercising or purporting to exercise the powers and authorities conferred upon it by this agreement, or otherwise.

15. (2) The Commission as regards all powers and authorities conferred upon it by this agreement shall have absolute and uncontrolled discretion as to the exercise thereof whether in relation to the manner or to the mode or to the time of such exercise and the Commission shall not be liable to the Association or to the Corporations in any way for its exercise of such discretion.

16. The Commission shall have the conduct and control of all claims and actions brought in respect of the Railway whether for alleged negligence arising out of the operation of the Railway or for any other matter or thing in connection with the Railway and may defend or compromise, settle or dispose of the same as it deems expedient, and such defence, compromise, settlement or disposal shall be binding upon the Association and the



Corporations; if the Association is liable thereon for any amount beyond the insurance, if any, carried by the Commission, the Solicitor of the Association shall be notified by the Commission.

17. The Commission shall not be obliged to undertake or continue any work or responsibility under this agreement until the moneys necessary therefor shall have been furnished by the Association and arrangements satisfactory to the Commission have been made by the Association for the payment of the same to the Commission as and when required by the Commission.

18. The Association as principal hereby agrees to indemnify and save harmless its agent the Commission from and against all liability, loss, damage, claims, demands, costs, charges and expenses in connection with the Railway.

19. The Association may with the approval of the Commission assign the benefit and advantage of this agreement to the Trustee under the Trust Indenture securing the bonds issued by the Association for capital expenditure for the Railway.

20. By way of compensation to the Commission for the performance of its obligations hereunder the Association agrees to pay to the Commission the cost to the Commission as determined by the Commission of all work done and services performed by it pursuant to this agreement, and the cost to the Commission as determined by the Commission in accordance with The Power Commission Act of supplying electrical power or energy for the purposes of the Railway, which power or energy the Commission is hereby exclusively authorized to supply and the Commission may deduct such costs payable to it so far as the same may be available from the revenue derived from the operation of the Railway.

IN WITNESS WHEREOF the Commission and the Association have caused this contract to be executed under their corporate seals and the hands of their proper officers duly authorized thereto.

WITNESS: WINDSOR, ESSEX AND LAKE SHORE ELECTRIC RAILWAY ASSOCIATION.

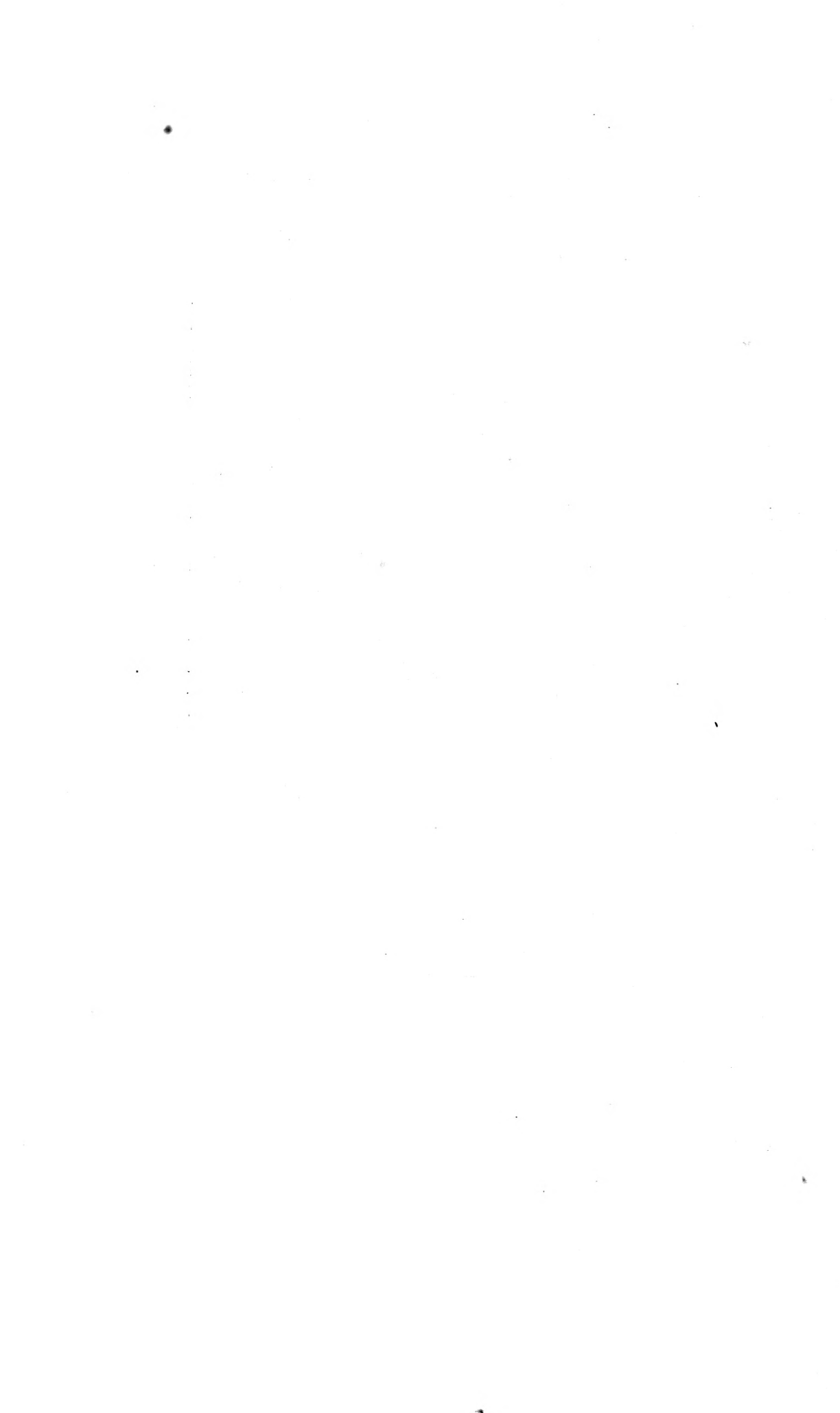
(signed) E. B. WINTER, Chairman.

(signed) M. E. BRIAN, Secretary.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

..... Chairman.

..... Secretary.





Ontario.  
19 George V, 1929.

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BILL.

An Act respecting the Windsor, Essex and  
Lake Shore Rapid Railway Company.

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*1st Reading*

March 7th, 1929.

*2nd Reading*

*3rd Reading*

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MR. COOKE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Windsor, Essex and Lake Shore Rapid Railway Company.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Windsor, Essex and Lake Shore Rapid Railway Act, 1929.* Short title.

**2.** In this Act,—

- (a) The words "Association" and "Railway" shall have the same meaning as in *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*; "Association." "Railway." 1928, c. 99.
- (b) "Commission" shall mean The Hydro-Electric Power Commission of Ontario; "Commission."
- (c) "Corporations" shall mean and include the corporations named in clause *a* of section 2 of *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and such municipal corporations as may from time to time be added and become parties to the Agreement set out in Schedule "A" to this Act; "Corporations."
- (d) "Working Expenditure" shall have the same meaning as in *The Railway Act.* "Working expenditure" Rev. Stat., c. 224.

**3.** Subject to the provisions hereinafter contained, the agreements entered into between the Windsor, Essex and Lake Shore Electric Railway Association and the Corporations in the form set out in Schedule "A" to *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and the agreement entered into between the said Association and The Hydro-Electric Power Commission of Ontario, dated the 3rd day of January, 1929, and set out in Schedule "B" hereto, are confirmed and declared to be legal, valid and binding upon the said Association and the said Corporations and each of them respectively and the Commission, and the Association and the said Corporations and each of them respectively and the Commission are declared to have and may exercise all the Agreements confirmed.

rights, powers and privileges and may issue all securities, execute all instruments and do all other things necessary to carry out the terms of the said agreements.

Bonds for working expenditure.

4.—(1) For the purpose of providing capital for working expenditure of the Railway or any extension thereof or work connected therewith and of providing for any deficit caused by the revenues of the said Railway being insufficient to meet the working expenditure in any year and of providing for any other charges or liabilities for which the Association may be responsible or for any of the said purposes, the Association is hereby authorized to issue and shall issue debentures of the Association to the principal amount of Two Hundred Thousand Dollars (\$200,000).

Terms of debentures.

(2) The debentures to be issued under this section shall bear such date, carry such rate of interest, be payable at such place or places and in such moneys and be upon such terms and conditions and mature within such period from the date thereof as the Commission may require.

Debentures may be a charge.

(3) Subject as hereinafter in this subsection provided, the Commission on behalf of and in the name of the Association may declare that the debentures issued under this section are charged upon and secured by such assets of the Railway in such manner and upon such terms and provisions and subject to such conditions as the Commission may deem advisable, but in relation to the said assets all debentures issued under this section shall be junior and subordinate to and rank after all bonds heretofore or hereafter issued by the Association to cover capital expenditure as provided in the said agreement between the Association and the Corporations.

Debentures not to be counted in ascertaining limit of borrowing powers. Rev. Stat., c. 233.

(4) Debentures and debts which are by this Act made obligations of the Corporation shall not be included in ascertaining the limits of the borrowing powers of the Corporations as prescribed by *The Municipal Act*, and the said debentures and debts shall be obligations of the Corporations notwithstanding the limitations prescribed by *The Municipal Act*.

Association shall deposit \$100,000

5.—(1) The Association is hereby authorized to and shall deliver to the Commission debentures of the Association issued under section 4 of this Act to the principal amount of \$100,000.

Commission may borrow.

(2) For any of the purposes set forth in section 4 of this Act the Commission from time to time on behalf of and in the name of the Association may borrow such amounts as the Commission may deem advisable, and may deposit, pledge, hypothecate, charge, sell or otherwise deal with any of the debentures delivered to it by the Association under this section.

(3) The Commission shall not be bound to undertake the operation of the Railway or any work or obligation under the Agreement set out in Schedule "B" to this Act until the Association shall have issued and delivered to the Commission the said debentures of the principal amount of \$100,000. <sup>Commission not bound to operate.</sup>

(4) For any of the purposes set out in section 4 or for the purpose of paying interest and sinking fund or any part thereof in respect of the bonds of the Association, or for paying to the Commission the amount as required by the Commission of any deficit or deficits or the amount of any expenditure, liability or obligation incurred by the Commission in any financial year, the Association from time to time may borrow such amounts as the Association may deem advisable upon the security of the debentures issued under the authority of section 4 and not delivered to the Commission, and may deposit, pledge, hypothecate, charge, sell or otherwise deal with any of the said debentures. <sup>Association shall retain \$100,000.</sup>

6.—(1) Notwithstanding that the said debentures may purport to be obligations of the Association only and that any borrowing purported to be done under the authority of this Act may purport to be done on behalf of the Association only, the said debentures of the Association and the amounts so borrowed shall be direct obligations of the Corporations and each of the Corporations shall be jointly and severally liable therefor and for every indebtedness created by or in connection with the said debentures or for which any of them shall be security; and the amount for which any Corporation is liable under this section shall be a debt due from the Corporations and each of them to the holder of any of the said debentures or the person lending the money so borrowed and upon default in payment thereof or of the interest thereon the same may be recovered by action at the suit of such holder in any court of competent jurisdiction. <sup>Liability on debentures and borrowing.</sup>

(2) No person, bank, firm or corporation lending money upon the security of the said debentures or any of them shall be bound to look into the purposes for which the money so lent is borrowed and the provisions of subsection 1 of this section shall apply notwithstanding that the moneys borrowed may be borrowed or used for purposes other than those authorized by this Act. <sup>Borrower need not look into purposes.</sup>

7. The Association from time to time shall issue debentures of the Association to such amount as may be determined by the Commission as necessary to provide further capital for the completion of the rehabilitation of the Railway and shall sell, pledge or hypothecate the same and pay the proceeds to the Commission and debentures issued under this section shall be a liability of the Association and the Cor- <sup>Further debentures for rehabilitation.</sup>

porations in the same manner and to the same extent as debentures issued by the Association under section 4.

Association's  
expenses of  
organization.

**8.**—(1) The expenses incurred in and incidental to the creation and organization of the Association to such amount as shall be approved by the Commission may be paid by the Commission as part of the capital expenditure for the acquisition and rehabilitation of the Railway.

Association's  
administra-  
tion  
expenses.

(2) All other expenses of administration of the Association and all gratuities, salaries and other remuneration of the members and officers of the Association shall subject to the approval of the Commission be payable as part of the working expenditure of the Railway.

(3) If, for any reason, the railway is not rehabilitated and operated as contemplated, then the Corporations shall severally be liable for the amount of the purchase price of the railway agreed to be paid by the Association, and also for the expenses referred to in section 8 hereof, in the same proportions as those in which the Corporations have undertaken to issue debentures under the provisions of *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and the agreement, Schedule "A," thereto.

Association  
shall appoint  
executive  
committee.

**9.** The Association shall appoint an executive committee to consist of the chairman and vice-chairman and three other members of the Association, and it shall be the duty of the executive committee,—

- (a) To supervise and direct the business of the Association;
- (b) To appoint such officers and employees as it may deem necessary for the conduct of the business of the Association and prescribe their duties and fix their remuneration;
- (c) To supply to the members of the Association on or before the twenty-fifth day of each month a statement of income and expenditure of the Association for the calendar month last preceding.
- (d) Adjust and apportion all amounts to be paid to the Association by the Corporations;
- (e) To take all steps necessary for the collection by legal process or otherwise of any amounts payable to the Association by the Corporations which shall remain in default for a period of one month;



- (f) Adjust and apportion between the corporations any annual surplus arising from operation of the railway.

**10.**—(1) Whenever the Association shall be under obligation to pay to the Commission the amount of any deficit or deficits or the amount of any expenditure, liability or obligation incurred by the Commission in any financial year, the Commission shall require the amount thereof to be paid by the Association, and for such purpose the Commission shall mail to the Chairman of the Association by registered post a requisition specifying the amount to be paid by the Association and such requisition shall be final and conclusive as to the amount due and payable by the Association and shall not be open to question in any action or proceeding; the Association within four months from the mailing of the said requisition shall pay to the Commission the amount specified therein.

Payment of deficit by Association.

(2) So soon as the requisition shall have been mailed to the Chairman of the Association, the Executive Committee of the Association herein provided for shall forthwith apportion the amount shown due by the said requisition among the Corporations in the proportions in which the Corporations have contributed debentures for capital expenditure of the Railway, and shall serve a requisition on each of the said Corporations specifying the amount to be paid by such Corporation, and such apportionment and such requisition shall be final and conclusive as to the amount due and payable by each said Corporation and shall be binding upon the Corporation and shall not be open to question in any action or proceeding; each of the Corporations shall pay to the Association the amount specified in the requisition served on the Corporation within one month from the date on which such requisition shall have been served on the Corporation as aforesaid.

Executive Committee shall apportion.

(3) In any financial year whenever the Association shall have borrowed any money under the authority of subsection 4 of section 5 of this Act or shall have incurred any other expense or liability in respect of the Railway other than that mentioned in subsection 1 of this section, the Association immediately after the end of the said financial year shall proceed to collect the amount thereof from the Corporations in the proportions and in the manner set out in subsection 2 of this section.

Association shall collect from Corporations.

(4) Each of the Corporations shall assess, levy and collect the moneys to be paid by it under this section by special rate on all the rateable property within the municipality or within the area in such municipality described in Schedule "C" to the agreement set out as Schedule "A" to this Act and such additional area as may be added by by-law passed under the

Corporations shall raise amount due.

authority of section 14 of this Act and pending the collection thereof may temporarily borrow the amount thereof on the credit of the Corporation from any bank or person.

On default Association shall recover.

(5) If any of the Corporations fail to pay the amount specified in the said requisition within one month after the same shall have been served the said amount shall be recoverable by action at the suit of the Association in any court of competent jurisdiction.

Liability of corporations for working capital not impaired.

(6) Nothing contained in this section shall lessen or in any way impair the joint and several liability of each of the Corporations to pay the principal and interest of any debt contracted under the provisions of this Act by the Association or by the Commission on its behalf.

Commission may terminate.

**11.**—(1) The Commission in its discretion at any time by notice in writing mailed to the Chairman of the Association by registered mail may terminate the agreement set forth in Schedule "B" to this Act, and the Association at any time may terminate the said agreement with the approval of the Commission and with the approval of the majority of the Corporations signified in each case by resolution of the council of the Corporation under its corporate seal.

Agreement shall be terminated on default.

(2) The agreement shall be terminated and shall cease to be operative if,—

- (a) The Association shall make default in payment of any amount demanded by the Commission and such default shall continue for a period of four months;
- (b) The Association shall make default in the payment of any amount required to meet interest or on sinking fund account on its bonds and such default shall continue for a period of six months, or
- (c) The trustee, mortgagee, acting for or on behalf of the bondholders shall take possession of the undertakings of the Association under the terms of the mortgage given to secure payment of said bonds by reason of any default in complying with the provisions thereof;

And forthwith the Commission shall cease to operate the Railway and the executive committee of the Association shall take over the management and operation thereof.

Adjustment on termination.

(3) Upon the termination of the Agreement under either of the two next preceding sections the Commission shall be

entitled to retain any moneys in its hands as security for any amount which may be owing to it or for which it may be liable on account of the operation of the Railway or for any obligation assumed by it and, subject to the charge in favour of the bondholders, the Commission shall have a lien upon the assets of the Railway for every such amount, and, in addition, the Commission shall be entitled to sell and dispose of any debentures of the Association in its hands in such manner as it sees fit.

(4) In case the agreement is terminated for any of the reasons mentioned in subsection 2 the agreement shall be revived and shall forthwith become operative in full force and effect as if no termination had taken place, if,—

- (a) the default which occasioned the termination be made good to the satisfaction of the Commission as certified under its corporate seal and the signatures of its chairman and secretary;
- (b) the trustee mortgagee, having received satisfaction, shall have given up possession of the undertakings of the Association;

and forthwith the executive committee of the Association shall cease to operate the railway and the operation, management and control of the railway shall vest in and be assumed by the Commission as if no such termination had taken place.

**12.** Nothing in this Act contained shall be taken to affect the operation of the provisions of section 9 of the said *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and if any Corporation shall hereafter become a party to the agreement set out in Schedule "A" and execute the same as provided in the said section, the provisions of the last-mentioned Act, this Act and the said agreements shall extend to and be binding upon the Corporation.

**13.** Any moneys at the credit of the sinking fund mentioned in subclause *d* of clause 3 of the said agreement between the Association and the Corporations or any other moneys in the hands of the Association may be applied from time to time in the purchase or redemption of bonds, debentures or other securities issued by the Association under the said clause at such time or times and in such manner and for such price or prices as the Association may deem desirable.

**14.—**(1) Schedule "C" to the said agreement between the Association and the Corporations is amended by striking out the clauses numbers 3 and 6 and substituting therefor the following:

(3) *Township of Sandwich South.*  
All of the township of Sandwich South.

(6) *Township of Gosfield North.*  
All of the township of Gosfield North.

Raising  
contribution  
by general  
rate.

(2) Wherever only a district in a municipality is described in the said Schedule "C" the council of any such municipal corporation may by by-law passed by the affirmative vote of all those members of the council who are present at a meeting called to consider the by-law, require all sums to be raised, levied and collected for the payment of debentures or for any other purposes under the terms of *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, or of this Act or any amendment or of the said agreements or either of them, to be raised, levied and collected upon all the rateable property in the municipality instead of in the district set out in said Schedule "C" and the said Schedule shall thereupon be amended accordingly.

Duties and  
powers as to  
operation of  
Railway.

**15.** For the purpose of operating and carrying on the Railway the Commission shall have and may exercise all the rights, powers and privileges of the Association in the same manner and to the same extent as a company owning and operating a railway under *The Railway Act of Ontario*, except that the Commission shall have no power to issue bonds, debentures or other securities or undertake any financial obligation whereby the Commission becomes in any way liable, except as the agent of and in the name of the Association, and all bonds, debentures and other securities required to be issued for the purpose of the said Railway and all such financial obligations shall be issued, undertaken and performed by and in the name of the Association.

Responsibility  
of Association and  
Corporations.

**16.** It is the true intent and meaning of this Act, *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, and the said agreements that the Commission shall be deemed in all matters arising out of this Act, the said Act of 1928, and agreements or any of them, to act solely as the agent of the Association and the Corporations, and neither the Commission nor the Province of Ontario shall be liable in any manner for any debt, liability or obligation in respect of the railway or anything done or undertaken by the Commission in relation thereto except to the extent of moneys received by the Commission as revenue from operation of the railway or other assets of the Association or the Corporations from time to time in its possession or control and available for such liabilities, nor shall the Commission be liable in any manner for any debt, liability or obligation of the Association, and the Association and the Corporations jointly and severally shall be responsible for every such debt, liability or obligation and shall indemnify

and save harmless the Commission therefrom, and no action or other proceeding shall lie or be taken against the Commission in respect of any such debt, liability or obligation but every such action may be taken against the Association and the Corporations or one or more of them.

**17.** Sections 177 to 185 inclusive and sections 187 to 201 inclusive of *The Railway Act* shall not apply to the Commission or the Association or the railway mentioned in the agreement set out as Schedule "B" to this Act. Sections of Railway Act not to apply.

**18.** It shall not be necessary to submit for the assent of the electors any by-law passed by the municipal council of any of the Corporations to incur any debt or to authorize the issue of any debentures or for any purpose whatsoever under or pursuant to this Act or either of the agreements set out as Schedules "A" and "B" hereto. Assent of electors not required.

**19.** Section 3 of *The Windsor, Essex and Lake Shore Rapid Railway Act, 1928*, is amended by adding thereto the following clause:— 1928, c. 99, s. 3, amended.

- (a) Every member of the Association shall be a resident of the municipality represented by him and in case any member heretofore or hereafter appointed shall cease to be a resident of the municipality represented by him his seat shall *ipso facto* become vacant and the council of the municipality represented by him shall thereupon appoint another member in his place.

**20.** This Act shall come into force on the day upon which it receives the Royal Assent and shall be retroactive and have effect as from the 20th day of June, 1928. Commencement of Act.

## SCHEDULE "B."

THIS INDENTURE made the 3rd day of January A.D. 1929.

BETWEEN:—

WINDSOR, ESSEX AND LAKE SHORE ELECTRIC RAILWAY ASSOCIATION, hereinafter called the "ASSOCIATION" *of the First part,*

—and

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO, hereinafter called the "COMMISSION" *of the Second part*

WHEREAS the Association has been duly created and constituted under and in accordance with The Windsor, Essex and Lake Shore Rapid Railway Act, 1928, 18 Geo. V, Chapter 99;

AND WHEREAS the Association has entered into agreement in the form set out in the Schedule to the said Act with certain of the Municipal Corporations mentioned in the said Act for the acquisition and operation by the Association on behalf of the Corporations from time to time parties to the said Agreement (hereinafter called the "Corporations") of the electric railway now known as the Windsor, Essex and Lake Shore Rapid Railway, (hereinafter called the "Railway");

AND WHEREAS the Association has acquired the said Railway;

NOW, THEREFORE, THIS INDENTURE WITNESSETH that in consideration of the premises and for the considerations herein contained the Parties hereto mutually covenant, promise and agree as follows:—

1. The Association hereby authorizes and appoints the Commission as the agent of and on behalf of the said Association and said Corporations to manage, construct, rehabilitate, extend, complete, equip, maintain and operate the said Railway, and the Commission, as such agent and subject to all the terms, conditions, provisos and stipulations herein contained, accepts the said appointment and agrees to efficiently perform its duties in connection therewith; and to exercise all due skill and diligence so as to secure the most effective operation and service of the Railway; and the Commission as agent of the Association may have, enjoy, exercise and perform all the rights, powers, authorities, privileges, immunities, duties and obligations of the Association with respect to the Railway and the management, construction, rehabilitation, extension, completion, equipment, maintenance, operation, improvement, betterment, renewal and insurance thereof except always with respect to the issue of bonds.

2. The Commission shall be under no obligation whatever to commence or having commenced to proceed with the rehabilitation, construction and equipment of the Railway, or to proceed with any extensions, improvements or additional works or equipment of any kind in connection with the Railway except according to plans and specifications furnished by the Commission and authorized and approved by resolution of the Association, and any amendments or additions thereto or modifications thereof which shall be made by the Commission, nor unless the Association shall have furnished the Commission with the moneys, or given the Commission security satisfactory to the Commission for payment to the Commission of the moneys estimated by the Commission from time to time to be necessary to complete the said rehabilitation, construction, equipment, extensions, improvements, additional works and equipment, nor unless the Association shall have carried out and complied with all statutory requirements to be observed and performed by the Association, but the Commission shall be fully protected in acting according to such authorization and approval and shall be under no obligation to see to the observance or performance by the Association of said statutory requirements, and the Commission in carrying out any such work may make such amendments or additions to or modifications of such plans and specifications which in its sole discretion the Commission may deem to be necessary or desirable and the authorization and approval of the work by the Association according to the original

plans and specifications shall be effective as an authorization and approval of the work according to said original plans and specifications as so amended added to, or modified;

3. As part of the operation of the Railway, the Association authorizes the Commission:—

3. (a) to regulate and fix the fares and rates of toll to be collected by the Railway for all classes of service;

3. (b) to utilize the right-of-way and property of the Railway for all purposes from which it is possible to obtain a profit;

3. (c) Subject to the provisions of any Trust Indenture securing any bonds issued by the Association, to combine the equipment works and other property of the Railway with that used for power purposes by the Commission and for other railways operated by the Commission where such combination is in the opinion of the Commission feasible and may prove economical; and to apportion annually all charges respecting such equipment, works and other property in a fair manner having regard to the service furnished; provided that such apportionment may be by way of rental charges or otherwise; the apportionment of the Commission shall be final and binding;

3. (d) to permit and obtain interchange of traffic with other railways wherever possible and profitable.

#### 4. THE ASSOCIATION SHALL:—

(a) furnish a free right-of-way for the Railway over any property of the Association and use its best endeavours to secure a free right-of-way for the Railway over the property of any of the Corporations upon request of the Commission and secure to the Commission free use of all land, property and other facilities available to the Association;

4. (b) make no agreement or arrangement with and grant no franchise, license or inducement to any other railway or transportation company, body corporate or commission without the written consent of the Commission; and take all means within the power of the Association to ensure to the Commission the exclusive right of furnishing in any manner whatsoever local transportation within the boundaries of any of the Corporations;

4. (c) keep, observe and perform the covenants, provisions and conditions set forth in this contract intended to be kept, observed and performed by the Association, and execute such further and other documents and pass such By-laws and Resolutions as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this contract, and use its best endeavour to secure from the said Corporations such further and other documents and By-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this contract;

4. (d) issue all bonds, debentures and other securities, collect and pay over all moneys and generally do all acts and carry out all obligations required or imposed in addition to or substitution for any of the provisions of this agreement by any Statute of Ontario relating to the said Railway.

5. The Commission to the extent that the same may be available shall apply the revenue derived from operation of the Railway and all other revenue derived from the undertaking to the payment of working expenditure including the supply of electrical power or energy and to meet the cost of administration and such other deductions as are provided for in this agreement; the Commission may in its discretion set aside from any revenue thereafter remaining such sum each year as the Commission may determine to be desirable for the renewal of any works belonging in whole or in part to the undertaking and for reserves for working expenditure, for obsolescence, depreciation, and contingencies; and provided the Association be not in default under this agreement, the Commission shall pay over annually to the Association all surplus that remains after providing for the

foregoing items in this clause; the decision of the Commission as to what is included under this clause and what is capital expenditure shall be final and binding.

6. The Association shall be responsible for and bear all costs in relation to the Railway, its property and works, including without limiting the generality of the foregoing all cost of acquiring, rehabilitating, constructing, equipping, operating, maintaining, repairing, renewing and insuring the Railway and the Commission shall be under no obligation whatever to provide any moneys therefor.

7. In case the Commission shall at any time or times be prevented from operating the Railway or any part thereof by strike, lock-out, riot, fire, invasion, explosion, hurricane, flood, act of God or the King's enemies, or any other cause which may reasonably be deemed to be beyond its control, then the Commission shall not be bound to operate the Railway or such part thereof during such time, but the Association shall not be relieved from any liability or payment under this contract and as soon as the cause of such interruption is removed the Commission shall without any delay continue operation of the Railway, and the Association shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

8. Subject to the provisions of any Trust Indenture securing any bonds issued by the Association the Commission may, and the Association hereby authorizes the Commission, to unite the business of the Railway with that of any other railway system operated in whole or in part by the Commission and to acquire, equip and operate busses and bus lines instead of any line or lines of the Railway or by way of extension thereof wherever it may appear to the Commission advantageous and profitable from time to time, and to exchange equipment and operators from one system to another, provision being made so that each system shall pay its proportionate share as adjusted by the Commission of the cost of any operators and of any equipment and other property used in common including the cost of operation thereof; provided that the acquisition or lease of, or obtaining of running rights over, any steam railway, electric or street railway or bus line or any part thereof may be deemed a uniting of business as aforesaid or may be included as part of the Railway maintained or operated by the Commission under this contract.

9. Without the approval of the Commission, the Association shall not make any extension to the Railway or construct any other railway or acquire, undertake, lease or obtain running rights over any steam railway, or other electric railway or any street railway or any buses or bus line or any part thereof; but when so approved the same shall in every case become part of the Railway.

10. The Association covenants and agrees with the Commission to cooperate by all means in its power at all times with the Commission in creating the most favourable conditions for the carrying out of the objects of this contract and for increasing the revenue of the Railway and for insuring its success.

11. In any financial year if for any reason there be a deficit because the revenue derived from the operation of the Railway and all other revenue derived from the undertaking be insufficient to meet the working expenditure including the supply of electrical power or energy and to meet the cost of administration and such other deductions as are provided for in this agreement and such sum as the Commission may determine as desirable to set aside for the renewal of any works belonging in whole or in part to the undertaking and for reserves for working expenditure, obsolescence, depreciation and contingencies, or if there be a deficit because the moneys furnished by the Association to the Commission shall be insufficient to meet the cost, either estimated or actual, of the rehabilitation, construction, equipment, management or operation of, or of extensions, improvements, additional works and equipment for, the Railway which may be undertaken by the Commission pursuant to this agreement as the agent of the Association and on behalf of the Association and the Corporations, or if the Commission shall have made any expenditure or incurred any liability or obligation whatever in connection with the rehabilitation, construction, equip-



ment, management, or operation of, or with extensions, improvements or other work and equipment for or in connection with the Railway to meet which sufficient moneys have not been furnished by the Association to the Commission, the amount of such deficit or deficits, and the amount of such expenditures, liabilities and obligations, shall be forthwith upon demand paid to the Commission by the Association; and the Commission, so long as such expenditures, obligations and liabilities are not paid or satisfied shall have a lien therefor upon the Railway and all land, equipment, works and other property held or used in connection therewith, which lien shall, however, be subject and subordinate to the lien or charge created by statutory authority or by any trust indenture in favour of the holders of any of the Bonds of the Association or in favour of any Trustee for the holders of such Bonds.

12. If the Association should fail to perform any obligation under this agreement or if any Corporation should fail to perform any obligation under the said Act or any other Act now or hereafter passed or any amendment thereto, or under the said agreement or in connection with the Railway, the Commission in addition to all other remedies and without liability to the Commission may with or without notice and in its absolute discretion discontinue the service of the Railway in whole or in part and also terminate this agreement, and upon such termination the Commission shall have no further obligation under this agreement; no such discontinuance of service shall relieve the Association or any Corporation from the performance of any obligation contained in this agreement or to be performed under the said Acts or any amendments thereto or the said agreement between the Association and the Corporations.

13. Whenever any Municipal or other work is carried out which in any way affects the Railway but is not a portion of the Railway, no part of the cost of the same shall be charged against the revenue of the Railway but the said cost shall be paid by the Corporation or Corporations within the boundaries of which the work is done, and the said Corporation or Corporations shall indemnify and save harmless the Association and the Commission therefrom; EXCEPTING always in special cases of small matters where the Commission may be willing that such cost be treated and paid as working expenditure.

14. If at any time the Commission deem it necessary for proper and efficient operation of the Railway to construct a connection or connections between the Railway and any other railway operated by the Commission, the Commission may construct such connection and the cost thereof shall be apportioned by the Commission between the Railway and such other railway operated by the Commission, and such apportionment may be by way of rental charges or otherwise; provided that the part of the cost apportioned to the Railway under this agreement shall be met as the Commission may determine.

15. (1) The Commission shall not be liable to the Association or the Corporations or otherwise in any way by reason of any error or omission in any reports, estimates, plans or specifications made for the Association prior to the entering upon this contract, or made thereafter in pursuance thereof or for any act or omission of the Commission in exercising or purporting to exercise the powers and authorities conferred upon it by this agreement, or otherwise.

15. (2) The Commission as regards all powers and authorities conferred upon it by this agreement shall have absolute and uncontrolled discretion as to the exercise thereof whether in relation to the manner or to the mode or to the time of such exercise and the Commission shall not be liable to the Association or to the Corporations in any way for its exercise of such discretion.

16. The Commission shall have the conduct and control of all claims and actions brought in respect of the Railway whether for alleged negligence arising out of the operation of the Railway or for any other matter or thing in connection with the Railway and may defend or compromise, settle or dispose of the same as it deems expedient, and such defence, compromise, settlement or disposal shall be binding upon the Association and the

Corporations; if the Association is liable thereon for any amount beyond the insurance, if any, carried by the Commission, the Solicitor of the Association shall be notified by the Commission.

17. The Commission shall not be obliged to undertake or continue any work or responsibility under this agreement until the moneys necessary therefor shall have been furnished by the Association and arrangements satisfactory to the Commission have been made by the Association for the payment of the same to the Commission as and when required by the Commission.

18. The Association as principal hereby agrees to indemnify and save harmless its agent the Commission from and against all liability, loss, damage, claims, demands, costs, charges and expenses in connection with the Railway.

19. The Association may with the approval of the Commission assign the benefit and advantage of this agreement to the Trustee under the Trust Indenture securing the bonds issued by the Association for capital expenditure for the Railway.

20. By way of compensation to the Commission for the performance of its obligations hereunder the Association agrees to pay to the Commission the cost to the Commission as determined by the Commission of all work done and services performed by it pursuant to this agreement, and the cost to the Commission as determined by the Commission in accordance with The Power Commission Act of supplying electrical power or energy for the purposes of the Railway, which power or energy the Commission is hereby exclusively authorized to supply and the Commission may deduct such costs payable to it so far as the same may be available from the revenue derived from the operation of the Railway.

IN WITNESS WHEREOF the Commission and the Association have caused this contract to be executed under their corporate seals and the hands of their proper officers duly authorized thereto.

WITNESS: WINDSOR, ESSEX AND LAKE SHORE ELECTRIC RAILWAY ASSOCIATION.

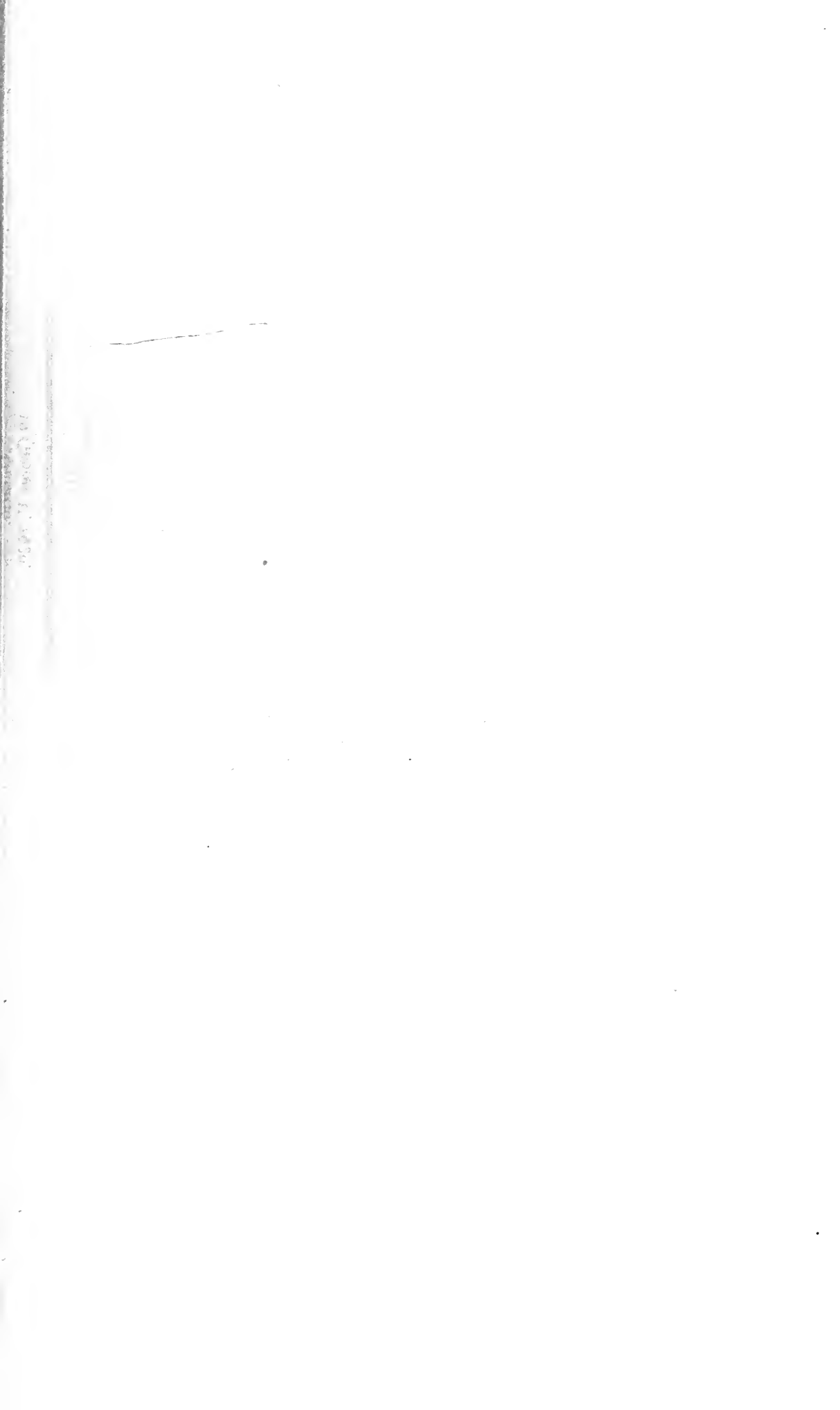
(signed) E. B. WINTER, *Chairman.*

(signed) M. E. BRIAN, *Secretary.*

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

..... *Chairman.*

..... *Secretary.*



Ontario.  
19 George V, 1929.

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BILL.

An Act respecting the Windsor, Essex and  
Lake Shore Rapid Railway Company.

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*1st Reading*

March 7th, 1929.

*2nd Reading*

March 11th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. COOKE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to amend The Power Commission Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Power Commission Act*, Short title.  
1929.

**2.** Subsection 2 of section 6 of *The Power Commission Act* Rev. Stat.,  
c. 57, s. 6,  
subs. 2,  
amended.  
is amended by adding thereto the following clause:

(a) Expenditure heretofore or hereafter incurred by the Commission, Certain  
expenditures  
to be  
included as  
part of cost  
of supplying  
power.

(i) for works or services in carrying out the directions of the Lieutenant-Governor in Council or for which the Commission has had other proper authority and which have not already been included in the cost of power to municipalities under contract with the Commission but which, in the opinion of the Commission, have proved or may ultimately prove beneficial to municipal corporations under contract with the Commission for a supply of power, or to municipal corporations which may from time to time thereafter enter into such contracts;

(ii) deemed necessary or desirable by the Commission in the interests of municipal corporations then or that may thereafter be under contract with the Commission for a supply of power, in carrying on, promoting or extending the operations of the Commission in connection with the generation, distribution or supply of power or for any work or service deemed by the Commission incidental thereto,

may be included by the Commission as part of the cost of supplying electrical power or energy to any

of such corporations, and shall be apportioned by the Commission as provided in this section and section 56.

Rev. Stat.,  
c. 57, s. 15,  
amended.

**3.** Section 15 of *The Power Commission Act* is amended by striking out the words "or acquired" in the fourth line and inserting in lieu thereof the words "acquired or performed," and by adding the following clause:

"Works,"  
meaning of.

- (a) For the purposes of this section "works" shall, in addition to the meaning given to it in section 2, mean and include preliminary reports, surveys, investigations, engineering, accounting or organization work or service, or any other work or service in connection with or incidental to any proposed construction or development.

Rev. Stat.,  
c. 57, s. 20,  
subs. 3 to 8,  
repealed.

**4.** Subsections 3 to 8 inclusive of section 20 of *The Power Commission Act* are repealed and the following substituted therefor:

Apportion-  
ment of  
costs of  
works  
heretofore  
constructed.

- (3) Where under an agreement or any instrument purporting to be an agreement with a municipal corporation the Commission has heretofore constructed works or improvements upon any lake, river, stream or other body of water and it appears to the Lieutenant-Governor in Council that such works or improvements are or may be of benefit to, or increase the value of the land of any individual or corporation other than such municipal corporation, the Lieutenant-Governor in Council may direct a judge of the Supreme Court, or a judge of a county or district court, to inquire into and determine the proportion in which such municipal corporation and any such individual or other corporation are or may be respectively benefited or the value of the land of any of them increased by such works or improvements, and the judge may make an order fixing the proportion in which the cost of such works or improvements shall be borne by the municipal corporation party to such agreement or instrument, and by any such individual or corporation and by the Province respectively, and may fix such proportion without regard to the terms of such agreement or instrument.

When costs  
not to be  
awarded.

- (4) No costs shall be awarded to any party appearing before the judge or otherwise interested in the inquiry.

Fees and  
expenses.

- (5) The judge shall be paid such fees and expenses as shall be fixed by the Lieutenant-Governor in Council.

- (6) For the purposes of this section the cost of the works or improvements shall be deemed to include all expenditures, charges and expenses as fixed by the Commission made or incurred by it in respect of the construction of such works or improvements, extensions and additions thereto, interest charges, operating expenses, repairs and maintenance, down to the date of the order of the judge, the fees and expenses of the judge and the expenses incurred by the Commission in connection with the inquiry. Cost of works and improvements, what to include.
- (7) Any person, or any municipal or other corporation affected by the order made under the authority of subsection 2 or subsection 3 may, with the consent in writing of the Commission, appeal from such order to the Appellate Division. Appeal.
- (8).—(a) The Commission may establish a sinking fund to be provided by the parties in the proportions directed by the order of the judge sufficient to discharge and pay off the cost of such works or improvements and such of the capital costs as may be incurred from time to time by the Commission after the date of the order of the judge within such periods as the Commission may fix having regard to the life of such works or improvements and not exceeding forty years. Sinking fund.
- (b) The Commission shall subsequent to the order of the judge annually fix and determine the costs, charges or expenses incurred by it from time to time in the operation, maintenance, repair and renewal of such works and shall apportion and charge the same against the parties in the proportions fixed by the order of the judge together with the payments in respect of sinking fund hereinbefore mentioned and the amounts so charged shall be payable on demand recoverable in the manner hereinafter provided. Annual apportionment of costs by Commission.
- (9) In fixing the amounts so payable the Commission shall give credit for any amount theretofore contributed to the cost of such works and improvements by a municipal or other corporation or by any individual. Allowance for previous expenditure.
- (10) The amount so found payable by a municipal corporation shall be recoverable in the like manner as in the case of a charge for any other service rendered by the Commission to a municipal corporation and in the case of any other corporation or of Recovery of amount assessed.

an individual the amount so found due shall constitute a debt due to the Commission and shall be recoverable in any court of competent jurisdiction from the owners from time to time of the lands so found by the order of the judge to be benefited by such works or improvements and shall constitute a lien or charge upon such lands enforceable in the same manner and by the same proceedings as nearly as may be as in the case of a charge in favour of the Crown.

Share of Province, how payable.

- (11) Where a proportion of the cost of such works and improvements is to be borne by the Province the amount due from time to time in respect thereof shall be payable out of any moneys appropriated by the Legislature for that purpose.

How far order to be final and binding.

- (12) When the proportions in which the cost of such works or improvements is to be borne have been fixed by order of the judge or of the Appellate Division such order shall be final and binding unless and until it shall appear to the Commission that owing to change of circumstances or conditions in respect of such works or improvements it is equitable that there should be a readjustment of the proportions theretofore fixed by the order of the judge and in that case upon the application of any person liable to contribute to the cost of such works or improvements, made with the consent in writing of the Commission, the judge may make further inquiry and may readjust such proportions to be thereafter applied in such manner as he may deem just and equitable subject to appeal as hereinbefore provided.

Rev. Stat., c. 57, s. 40, subs. 3, amended.

**5.** Subsection 3 of section 40 of *The Power Commission Act* is amended by inserting the words "or other" before the word "service" in clause (c), and is further amended by inserting the words "generation, purchase," before the word "transmission" in the eighth line; by adding after the words "power purposes" in the ninth line the following words, "or for the manufacture, procuring, producing, supply or use of any other public utility"; by striking out the words "which has entered into a contract with the Commission for the supply of electrical power or energy" in the tenth, eleventh and twelfth lines and substituting therefor the words "or by any other corporation or any person"; by striking out the words "or Commission" in the thirteenth line and substituting therefor the words "Commission or person" so that the subsection will now read as follows:



(3) The Commission may,—

Doing  
work for  
contracting  
municipalities, etc.

(a) undertake and carry out the preparation of plans, specifications and estimates for, and the construction, erection, installation and putting down of, any plant, machinery, and other things;

(b) purchase supplies, wires, poles, and other things;

(c) render engineering or other service.

for the generation, purchase, transmission, distribution, supply or use of electrical power or energy for light, heat or power purposes, or for the manufacture, procuring, producing, supply or use of any other public utility, by a municipal corporation or commission, or by any other corporation or any person; and the Commission may charge and collect from such corporation, commission or person the cost of any work done or service rendered by the Commission under this subsection.

**6.**—(1) Subsection 4 of section 64 of *The Power Commission Act* is amended by adding thereto the following words: Rev. Stat., c. 57, s. 64, subs. 4, amended.

In the event of the enlarging of such area it shall be necessary only to have a petition from a majority of the resident freeholders in the new area; in the event of alteration of the boundaries of any such area the council without petition may from time to time by by-law alter the said boundaries so long as such alteration does not alter by more than ten per cent. the amount of the assessment upon which the special rate is raised to meet the cost as mentioned in subsections 5 and 6 of this section; in the event of any alteration reducing by more than ten per cent. the amount of such assessment the petition must have a majority of the resident freeholders in the area remaining subject to such assessment. Where area is enlarged.

(2) Subsection 7 of the said section 64 is amended by adding after the word "may" in the first line the words "from time to time" and by adding after the word "that" in the second line the words "the whole or". Rev. Stat., c. 57, s. 64, subs. 7, amended.

(3) The said section 64 is further amended by adding thereto the following subsections: Rev. Stat., c. 57, s. 64, amended.

Street  
lighting.

Rev. Stat.,  
c. 235.

- (8) Notwithstanding that any street lighting in a township may have been undertaken as a local improvement under *The Local Improvement Act*, the council upon the procedure and for the purposes set out in this Part may enter into a contract with the Commission for a new area or enlarge any existing area and include in any such area the whole or any part of the lands specially assessed for the local improvement: thereafter all moneys required to meet the costs incurred by the corporation in respect to street lighting in the area shall be raised, levied and collected in the manner prescribed in this Part and only that part of the cost under *The Local Improvement Act* which is specially assessed on the lands not included in such area shall be collected under that Act;

Contract,  
application  
of.

- (9) Whenever the corporation shall have entered into contract with the Commission as provided in subsection 3 of this section it shall not be necessary for the corporation to enter into a separate contract with the Commission for any other area in the township, but the corporation may pass a by-law making such contract applicable to any such other area; thereupon such contract shall apply to such other area as fully as if such area had been included in the original petition for such contract;

Extension  
of contract  
to adjoining  
areas.

- (10) The council of the corporation may from time to time by by-law without the assent of the electors and without any petition as mentioned in this Part incorporate any such area with any other adjoining area in the township and the contract with the Commission for the area with which the other area is incorporated shall apply to the whole area;

- (11) Wherever any such area is wholly or partly within an area in the township set apart by the council under section 49, the contract with the approval of the Commission may be made with The Hydro-Electric Power Commission of the said area under section 49.

Rev. Stat.,  
c. 57, s. 73,  
subs. 1,  
amended.

Lighting of  
highways.

- 7.—(1)** Subsection 1 of section 73 of *The Power Commission Act* is amended by striking out the words “under the procedure provided for in section 63 and subsections 1, 2 and 3 of section 64” in the second, third and fourth lines and substituting therefor the following words, “under procedure similar to that provided in Part III of this Act,” and is further amended by adding thereto the following words, “and the by-law of the

corporation need not provide for the issue of debentures of the corporation to meet the cost of construction and installation of the works necessary for the distribution of the electrical power or energy."

(2) Subsection 6 of the said section 73 as enacted by section 5 of *The Power Commission Act, 1928*, is further amended by adding after the word "may" in the first line the words "from time to time," and by adding after the word "that" in the second line the words "the whole or".

Rev. Stat.,  
c. 57, s. 73,  
subs. 6,  
(1928,  
c. 19, s. 5),  
amended.

(3) The said section 73 is further amended by adding thereto the following subsections:

Rev. Stat.,  
c. 57, s. 73,  
amended.

(7) Whenever the corporation shall under Part III of this Act have entered into a contract with the Commission for the supply of electrical power or energy for the purposes required by the petitioners in any area, the corporation without a petition or any of the other preliminary proceedings provided in the said Part III may by by-law enter into a contract with the Commission for lighting the highways in the said area under this Part and thereafter all the provisions of this Part shall apply to the said area and the lighting of the highways therein in lieu of the provisions of the said Part III.

(8) Subsections 8, 9 and 10 of section 64 shall apply *mutatis mutandis* to any contract and to any area under this section.

Application  
of subs. 8 to  
10 of s. 64.

**8.**—(1) The clause lettered *a* in subsection 1 of section 98 of *The Power Commission Act* is amended by adding after the word "company" in the third line the word "firm".

Rev. Stat.,  
s. 57, s. 98,  
subs. 1, cl. a,  
amended.

(2) The clause lettered *b* in subsection 1 of the said section 98 is amended by striking out the words "distribution or supplying" in the fourth and fifth lines and substituting therefor the words "distribution, supplying or use".

Rev. Stat.,  
c. 57, s. 98,  
subs. 1, cl. b,  
amended.

(3) The said section 98 is further amended by adding thereto the following subsection:

Rev. Stat.,  
c. 57, s. 98,  
amended.

(6) Notwithstanding anything herein contained, this section shall not apply to an officer or employee of any such municipal commission who patents a device, appliance, machine, process or article of his own invention with the knowledge and permission of such municipal commission and the Commission.

Application  
of section.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Power  
Commission Act.

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*1st Reading*

March 7th, 1929.

*2nd Reading*

*3rd Reading*

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MR. COOKE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Power Commission Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Power Commission Act*, Short title. 1929.

**2.** Subsection 2 of section 6 of *The Power Commission Act* is amended by adding thereto the following clause: Rev. Stat., c. 57, s. 6, subs. 2, amended.

(a) Expenditure heretofore or hereafter incurred by the Commission, Certain expenditures to be included as part of cost of supplying power.

(i) for works or services in carrying out the directions of the Lieutenant-Governor in Council or for which the Commission has had other proper authority and which have not already been included in the cost of power to municipalities under contract with the Commission but which, in the opinion of the Commission, have proved or may ultimately prove beneficial to municipal corporations under contract with the Commission for a supply of power, or to municipal corporations which may from time to time thereafter enter into such contracts;

(ii) deemed necessary or desirable by the Commission in the interests of municipal corporations then or that may thereafter be under contract with the Commission for a supply of power, in carrying on, promoting or extending the operations of the Commission in connection with the generation, distribution or supply of power or for any work or service deemed by the Commission incidental thereto,

may be included by the Commission as part of the cost of supplying electrical power or energy to any

of such corporations, and shall be apportioned by the Commission as provided in this section and section 56.

Rev. Stat.,  
c. 57, s. 15,  
amended.

**3.** Section 15 of *The Power Commission Act* is amended by striking out the words "or acquired" in the fourth line and inserting in lieu thereof the words "acquired or performed," and by adding the following clause:

"Works,"  
meaning of.

(a) For the purposes of this section "works" shall, in addition to the meaning given to it in section 2, mean and include preliminary reports, surveys, investigations, engineering, accounting or organization work or service, or any other work or service in connection with or incidental to any proposed construction or development.

Rev. Stat.,  
c. 57, s. 20,  
subs. 3 to 8,  
repealed.

**4.** Subsections 3 to 8 inclusive of section 20 of *The Power Commission Act* are repealed and the following substituted therefor:

Apportion-  
ment of  
costs of  
works  
heretofore  
constructed.

(3) Where under an agreement or any instrument purporting to be an agreement with a municipal corporation the Commission has heretofore constructed works or improvements upon any lake, river, stream or other body of water and it appears to the Lieutenant-Governor in Council that such works or improvements are or may be of benefit to, or increase the value of the land of any individual or corporation other than such municipal corporation, the Lieutenant-Governor in Council may direct a judge of the Supreme Court, or a judge of a county or district court, to inquire into and determine the proportion in which such municipal corporation and any such individual or other corporation are or may be respectively benefited or the value of the land of any of them increased by such works or improvements, and the judge may make an order fixing the proportion in which the cost of such works or improvements shall be borne by the municipal corporation party to such agreement or instrument, and by any such individual or corporation and by the Province respectively, and may fix such proportion without regard to the terms of such agreement or instrument.

When costs  
not to be  
awarded.

(4) No costs shall be awarded to any party appearing before the judge or otherwise interested in the inquiry.

Fees and  
expenses.

(5) The judge shall be paid such fees and expenses as shall be fixed by the Lieutenant-Governor in Council.

- (6) For the purposes of this section the cost of the works or improvements shall be deemed to include all expenditures, charges and expenses as fixed by the Commission made or incurred by it in respect of the construction of such works or improvements, extensions and additions thereto, interest charges, operating expenses, repairs and maintenance, down to the date of the order of the judge, the fees and expenses of the judge and the expenses incurred by the Commission in connection with the inquiry. Cost of works and improvements, what to include.
- (7) Any person, or any municipal or other corporation affected by the order made under the authority of subsection 2 or subsection 3 may, with the consent in writing of the Commission, appeal from such order to the Appellate Division. Appeal.
- (8).—(a) The Commission may establish a sinking fund to be provided by the parties in the proportions directed by the order of the judge sufficient to discharge and pay off the cost of such works or improvements and such of the capital costs as may be incurred from time to time by the Commission after the date of the order of the judge within such periods as the Commission may fix having regard to the life of such works or improvements and not exceeding forty years. Sinking fund.
- (b) The Commission shall subsequent to the order of the judge annually fix and determine the costs, charges or expenses incurred by it from time to time in the operation, maintenance, repair and renewal of such works and shall apportion and charge the same against the parties in the proportions fixed by the order of the judge together with the payments in respect of sinking fund hereinbefore mentioned and the amounts so charged shall be payable on demand recoverable in the manner hereinafter provided. Annual apportionment of costs by Commission.
- (9) In fixing the amounts so payable the Commission shall give credit for any amount theretofore contributed to the cost of such works and improvements by a municipal or other corporation or by any individual. Allowance for previous expenditure.
- (10) The amount so found payable by a municipal corporation shall be recoverable in the like manner as in the case of a charge for any other service rendered by the Commission to a municipal corporation and in the case of any other corporation or of Recovery of amount assessed.

an individual the amount so found due shall constitute a debt due to the Commission and shall be recoverable in any court of competent jurisdiction from the owners from time to time of the lands so found by the order of the judge to be benefited by such works or improvements and shall constitute a lien or charge upon such lands enforceable in the same manner and by the same proceedings as nearly as may be as in the case of a charge in favour of the Crown.

Share of Province, how payable.

- (11) Where a proportion of the cost of such works and improvements is to be borne by the Province the amount due from time to time in respect thereof shall be payable out of any moneys appropriated by the Legislature for that purpose.

How far order to be final and binding.

- (12) When the proportions in which the cost of such works or improvements is to be borne have been fixed by order of the judge or of the Appellate Division such order shall be final and binding unless and until it shall appear to the Commission that owing to change of circumstances or conditions in respect of such works or improvements it is equitable that there should be a readjustment of the proportions theretofore fixed by the order of the judge and in that case upon the application of any person liable to contribute to the cost of such works or improvements, made with the consent in writing of the Commission, the judge may make further inquiry and may readjust such proportions to be thereafter applied in such manner as he may deem just and equitable subject to appeal as hereinbefore provided.

Rev. Stat., c. 57, s. 40, subs. 3, amended.

**5.** Subsection 3 of section 40 of *The Power Commission Act* is amended by inserting the words "or other" before the word "service" in clause (c), and is further amended by inserting the words "generation, purchase," before the word "transmission" in the eighth line; by adding after the words "power purposes" in the ninth line the following words, "or for the manufacture, procuring, producing, supply or use of any other public utility"; by striking out the words "which has entered into a contract with the Commission for the supply of electrical power or energy" in the tenth, eleventh and twelfth lines and substituting therefor the words "or by any other corporation or any person"; by striking out the words "or commission" in the thirteenth line and substituting therefor the words "commission or person" so that the subsection will now read as follows:



(3) The Commission may,—

Doing  
work for  
contracting  
municipalities, etc.

(a) undertake and carry out the preparation of plans, specifications and estimates for, and the construction, erection, installation and putting down of, any plant, machinery, and other things;

(b) purchase supplies, wires, poles, and other things;

(c) render engineering or other service,

for the generation, purchase, transmission, distribution, supply or use of electrical power or energy for light, heat or power purposes, or for the manufacture, procuring, producing, supply or use of any other public utility, by a municipal corporation or commission, or by any other corporation or any person; and the Commission may charge and collect from such corporation, commission or person the cost of any work done or service rendered by the Commission under this subsection.

**6.**—(1) Subsection 4 of section 64 of *The Power Commission Act* is amended by adding thereto the following words: Rev. Stat., c. 57, s. 64, subs. 4, amended.

In the event of the enlarging of such area it shall be necessary only to have a petition from a majority of the resident freeholders in the new area; in the event of alteration of the boundaries of any such area the council without petition may from time to time by by-law alter the said boundaries so long as such alteration does not alter by more than ten per cent. the amount of the assessment upon which the special rate is raised to meet the cost as mentioned in subsections 5 and 6 of this section; in the event of any alteration reducing by more than ten per cent. the amount of such assessment the petition must have a majority of the resident freeholders in the area remaining subject to such assessment. Where area is enlarged.

(2) Subsection 7 of the said section 64 is amended by adding after the word “may” in the first line the words “from time to time” and by adding after the word “that” in the second line the words “the whole or”. Rev. Stat., c. 57, s. 64, subs. 7, amended.

(3) The said section 64 is further amended by adding thereto the following subsections: Rev. Stat., c. 57, s. 64, amended.

Street  
lighting.

Rev. Stat.,  
c. 235.

- (8) Notwithstanding that any street lighting in a township may have been undertaken as a local improvement under *The Local Improvement Act*, the council upon the procedure and for the purposes set out in this Part may enter into a contract with the Commission for a new area or enlarge any existing area and include in any such area the whole or any part of the lands specially assessed for the local improvement; thereafter all moneys required to meet the costs incurred by the corporation in respect to street lighting in the area shall be raised, levied and collected in the manner prescribed in this Part and only that part of the cost under *The Local Improvement Act* which is specially assessed on the lands not included in such area shall be collected under that Act;

Contract,  
application  
of.

- (9) Whenever the corporation shall have entered into contract with the Commission as provided in subsection 3 of this section it shall not be necessary for the corporation to enter into a separate contract with the Commission for any other area in the township, but the corporation may pass a by-law making such contract applicable to any such other area; thereupon such contract shall apply to such other area as fully as if such area had been included in the original petition for such contract;

Extension  
of contract  
to adjoining  
areas.

- (10) The council of the corporation may from time to time by by-law without the assent of the electors and without any petition as mentioned in this Part incorporate any such area with any other adjoining area in the township and the contract with the Commission for the area with which the other area is incorporated shall apply to the whole area;

- (11) Wherever any such area is wholly or partly within an area in the township set apart by the council under section 49, the contract with the approval of the Commission may be made with The Hydro-Electric Power Commission of the said area under section 49.

Rev. Stat.,  
c. 57, s. 73,  
subs. 1,  
amended.

Lighting of  
highways.

- 7.—(1) Subsection 1 of section 73 of *The Power Commission Act* is amended by striking out the words “under the procedure provided for in section 63 and subsections 1, 2 and 3 of section 64” in the second, third and fourth lines and substituting therefor the following words, “under procedure similar to that provided in Part III of this Act,” and is further amended by adding thereto the following words, “and the by-law of the

corporation need not provide for the issue of debentures of the corporation to meet the cost of construction and installation of the works necessary for the distribution of the electrical power or energy."

(2) Subsection 6 of the said section 73 as enacted by section 5 of *The Power Commission Act, 1928*, is further amended by adding after the word "may" in the first line the words "from time to time," and by adding after the word "that" in the second line the words "the whole or".

Rev. Stat.,  
c. 57, s. 73,  
subs. 6,  
(1928,  
c. 19, s. 5),  
amended.

(3) The said section 73 is further amended by adding thereto the following subsections:

Rev. Stat.,  
c. 57, s. 73,  
amended.

(7) Whenever the corporation shall under Part III of this Act have entered into a contract with the Commission for the supply of electrical power or energy for the purposes required by the petitioners in any area, the corporation without a petition or any of the other preliminary proceedings provided in the said Part III may by by-law enter into a contract with the Commission for lighting the highways in the said area under this Part and thereafter all the provisions of this Part shall apply to the said area and the lighting of the highways therein in lieu of the provisions of the said Part III.

(8) Subsections 8, 9 and 10 of section 64 shall apply *mutatis mutandis* to any contract and to any area under this section.

Application  
of subss. 8 to  
10 of s. 64.

8.—(1) The clause lettered *a* in subsection 1 of section 98 of *The Power Commission Act* is amended by adding after the word "company" in the third line the word "firm".

Rev. Stat.,  
s. 57, s. 98,  
subs. 1, cl. a,  
amended.

(2) The clause lettered *b* in subsection 1 of the said section 98 is amended by striking out the words "distribution or supplying" in the fourth and fifth lines and substituting therefor the words "distribution, supplying or use".

Rev. Stat.,  
c. 57, s. 98,  
subs. 1, cl. b,  
amended.

(3) The said section 98 is further amended by adding thereto the following subsection:

Rev. Stat.,  
c. 57, s. 98,  
amended.

(6) Notwithstanding anything herein contained, this section shall not apply to an officer or employee of any such municipal commission who patents a device, appliance, machine, process or article of his own invention with the knowledge and permission of such municipal commission and the Commission.

Application  
of section.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Power  
Commission Act.

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*1st Reading*

March 7th, 1929.

*2nd Reading*

March 11th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. COOKE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Municipal Franchises Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Municipal Franchises Act, 1929*. Short title.

2. Section 6 of *The Municipal Franchises Act* is amended by inserting before the word "except" at the commencement of the section the words "subject to the provisions of section 2 and except as therein provided and", and by striking out the words "or electric light or power" after the word "gas" in the sixth and seventh lines of clause *a* in the said section, so that the first two lines and the said clause *a* will now read as follows: Rev. Stat. c. 240, s. 6, amended.

6. Subject to the provisions of section 2 and except as therein provided and except where otherwise expressly provided this Act shall not apply to a by-law,— Exceptions.

(a) granting the right of passing through the municipality for the purpose of continuing a line, work or system which is intended to be operated in or for the benefit of another municipality and is not used or operated in the municipality for any other purpose except that of supplying natural gas in a township to persons whose land abuts on a highway along or across which the same is carried or conveyed, or to persons whose land lies within such limits as the council by by-law passed from time to time determines should be supplied with any of such services. Works originating in another municipality.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Municipal  
Franchises Act.

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*1st Reading*

March 7th, 1929.

*2nd Reading*

*3rd Reading*

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MR. COOKE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act for the further Protection of Beaches.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Beach Protection Act, 1929*. Short title.

2.—(1) Notwithstanding anything contained in *The Beach Protection Act, The Beaches and River Beds Act* or any other Act, or in any regulation or order made under any of the said Acts, the Lieutenant-Governor in Council, upon the recommendation of the Minister of Mines, may direct the issue of a Proclamation prohibiting the taking, removal and carrying away by cart or truck, or by any boat or vessel or other water craft, or by any other vehicle or craft, of any sand, gravel, stone or earth from any bed, beach, shore or waters of, or adjacent to any part of the shores of Lake Erie, Lake Ontario or Lake Huron, or from any land covered by the waters of any of the said lakes adjacent to the said shore, or from any sandbar or flat therein or adjoining any channel or entrance thereto as described in the Order-in-Council, and such prohibition shall extend to the owner, tenant or occupant of any such bed, beach, shore, sandbar or flat and to any person claiming under the authority of any municipal corporation, or of any order of the Railway and Municipal Board and to every other individual and corporation.

Proclamation prohibiting removal of sand, gravel, etc.

Rev. Stat., cc. 298, 299.

(2) Every person who contravenes the prohibition contained in any such Proclamation shall incur a penalty of not less than \$10 nor more than \$100 for each offence to be recoverable under *The Summary Convictions Act*.

Penalty.

Rev. Stat., c. 121.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act for the further Protection  
of Beaches.

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*1st Reading*

March 7th, 1929.

*2nd Reading*

*3rd Reading*

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MR. McCREA.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act for the further Protection of Beaches.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Beach Protection Act, 1929*. Short title.

2.—(1) Notwithstanding anything contained in *The Beach Protection Act, The Beaches and River Beds Act* or any other Act, or in any regulation or order made under any of the said Acts, the Lieutenant-Governor in Council, upon the recommendation of the Minister of Mines, may direct the issue of a Proclamation prohibiting the taking, removal and carrying away by cart or truck, or by any boat or vessel or other water craft, or by any other vehicle or craft, of any sand, gravel, stone or earth from any bed, beach, shore or waters of, or adjacent to any part of the shores of Lake Erie, Lake Ontario or Lake Huron, or from any land covered by the waters of any of the said lakes adjacent to the said shore, or from any sandbar or flat therein or adjoining any channel or entrance thereto as described in the Order-in-Council, and such prohibition shall extend to the owner, tenant or occupant of any such bed, beach, shore, sandbar or flat and to any person claiming under the authority of any municipal corporation, or of any order of the Railway and Municipal Board and to every other individual and corporation.

Proclamation prohibiting removal of sand, gravel, etc.  
Rev. Stat., cc. 298, 299.

(2) Every person who contravenes the prohibition contained in any such Proclamation shall incur a penalty of not less than \$10 nor more than \$100 for each offence to be recoverable under *The Summary Convictions Act*.

Penalty.  
Rev. Stat., c. 121.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

Ontario,  
19 George V, 1929.

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BILL.

An Act for the further Protection  
of Beaches.

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*1st Reading*

March 7th, 1929.

*2nd Reading*

March 11th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. MCCREA.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Companies Information Act, 1928.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Companies Information Amendment Act, 1929.* Short title.

2. Subsection 1 of section 3 of *The Companies Information Act, 1928*, is amended by striking out all the words therein down to the end of the clause lettered *a* and substituting therefor the following: 1928, c. 33, s. 3, subs. 1, amended.

3.—(1) A prospectus containing such information as may from time to time be required by the Lieutenant-Governor in Council, verified as the Provincial Secretary may direct, together with the fee prescribed in the Order-in-Council, shall be filed with the Provincial Secretary by every syndicate and by every company other than a private company Filing prospectus.

(a) upon the establishment in Ontario of a head or other office, and

3. Subsection 3 of section 4 of *The Companies Information Act, 1928*, is repealed and the following substituted therefor: 1928, c. 33, s. 4, subs. 3, repealed.

(3) (a) The return of every corporation shall be verified by the affidavit of the president and secretary of the corporation. Verification of returns.

(b) When the president or secretary is absent the affidavit required of him may be made by a director.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Companies Infor-  
mation Act, 1928.

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*1st Reading*

March 8th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Companies Information Act, 1928.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Companies Information Amendment Act, 1929.* <sup>Short title.</sup>

**2.** Subsection 1 of section 3 of *The Companies Information Act, 1928,* is amended by striking out all the words therein down to the end of the clause lettered *a* and substituting therefor the following: <sup>1928, c. 33, s. 3, subs. 1, amended.</sup>

“3.—(1) A prospectus containing such information as may from time to time be required by the Lieutenant-Governor in Council, verified as the Provincial Secretary may direct, together with the fee prescribed in the Order-in-Council, shall be filed with the Provincial Secretary by every syndicate and by every company other than a private company <sup>Filing prospectus.</sup>

(a) upon the establishment in Ontario of a head or other office, and”.

**3.** Subsection 3 of section 4 of *The Companies Information Act, 1928,* is repealed and the following substituted therefor: <sup>1928, c. 33, s. 4, subs. 3, repealed.</sup>

(3) (a) The return of every corporation shall be verified by the affidavit of the president and secretary of the corporation. <sup>Verification of returns.</sup>

(b) When the president or secretary is absent the affidavit required of him may be made by a director.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Companies Infor-  
mation Act, 1928.

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*1st Reading*

March 8th, 1929.

*2nd Reading*

March 15th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Fire Marshals Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Fire Marshals Act, 1929*. Short title.
2. Section 9 of *The Fire Marshals Act* is amended by adding thereto the following subsection: Rev. Stat., c. 295, s. 9, amended.
  - (4) Whenever in any urban municipality a fire prevention bureau has been established by the corporation, or where the chief of the fire department of any urban municipality has designated one or more members of the fire department of such municipality as a fire prevention officer or officers, every person who is a member of such bureau or who is so designated, shall be an "assistant to the Fire Marshal" and shall be possessed of all the powers of an assistant to the Fire Marshal under this Act. Assistants to the Fire Marshal.
3. Subsection 6 of section 20 of *The Fire Marshals Act* is repealed and the following substituted therefor: Rev. Stat., c. 295, s. 20, subs. 6, repealed.
  - (6) Every person who fails to obey an order made under clause *a* in subsection 2 after the time allowed for appeal therefrom has elapsed shall incur a penalty not exceeding \$100 per day for every day during which such default continues and every person who fails to obey an order made under clause *b* in subsection 2 shall incur a penalty not exceeding \$20 for each day upon which such default continues. Penalties.
    - (a) Every such penalty shall be recoverable before a police magistrate or two or more justices of the peace under *The Summary Convictions Act*, but the imposition of any such penalty or the payment thereof shall Rev. Stat., c. 121.

not relieve any person convicted from fulfilling any obligation for the neglect of which the penalty was imposed.

Rev. Stat.,  
c. 295, s. 20,  
amended.

4. Section 20 of *The Fire Marshals Act* is amended by adding thereto the following subsection:

Action in  
absence of  
owner of  
premises.

(7) If the owner is absent from or is a non-resident of the Province, or his whereabouts within the Province is unknown, and there is no occupant of the building or premises, or his whereabouts within the Province is unknown, the Fire Marshal may direct and procure

(a) the removal of such buildings;

(b) the removal of such combustible or explosive material, or the removal of anything that may constitute a fire menace,

in such manner as he may deem proper, provided that no expense shall be incurred for such purpose beyond the amount of \$100 without the approval of the Minister.

Expenses.

(a) The expense so incurred shall be paid in the first instance out of any appropriation of the Fire Marshal's office.

(b) The Fire Marshal shall certify to the treasurer of the city, separated town or county within which the building, premises, or structure is situate, the expenses actually and necessarily incurred, and such treasurer shall forthwith pay the amount so certified to the Treasurer of Ontario, and the same may be entered upon the collector's roll against the land or premises in relation to which action was so taken and shall constitute a lien thereon and be levied and collected as taxes against such land or premises.

Commence-  
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.





3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Fire Marshals Act.

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*1st Reading*

March 11th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Fire Marshals Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Fire Marshals Act, 1929*. Short title.
2. Section 9 of *The Fire Marshals Act* is amended by adding thereto the following subsection: Rev. Stat., c. 295, s. 9, amended.
  - (4) Whenever in any urban municipality a fire prevention bureau has been established by the corporation, or where the chief of the fire department of any urban municipality has designated one or more members of the fire department of such municipality as a fire prevention officer or officers, every person who is a member of such bureau or who is so designated, shall be an "assistant to the Fire Marshal" and shall be possessed of all the powers of an assistant to the Fire Marshal under this Act. Assistants to the Fire Marshal.
3. Subsection 6 of section 20 of *The Fire Marshals Act* is repealed and the following substituted therefor: Rev. Stat., c. 295, s. 20, subs. 6, repealed.
  - (6) Every person who fails to obey an order made under clause *a* in subsection 2 after the time allowed for appeal therefrom has elapsed shall incur a penalty not exceeding \$100 per day for every day during which such default continues and every person who fails to obey an order made under clause *b* in subsection 2 shall incur a penalty not exceeding \$20 for each day upon which such default continues. Penalties.
    - (a) Every such penalty shall be recoverable before a police magistrate or two or more justices of the peace under *The Summary Convictions Act*, but the imposition of any such penalty or the payment thereof shall Rev. Stat., c. 121.

not relieve any person convicted from fulfilling any obligation for the neglect of which the penalty was imposed.

Rev. Stat.,  
c. 295, s. 20,  
amended.

**4.** Section 20 of *The Fire Marshals Act* is amended by adding thereto the following subsection:

Action in  
absence of  
owner of  
premises.

(7) If the owner is absent from or is a non-resident of the Province, or his whereabouts within the Province is unknown, and there is no occupant of the building or premises, or his whereabouts within the Province is unknown, the Fire Marshal may direct and procure

(a) the removal of such buildings;

(b) the removal of such combustible or explosive material, or the removal of anything that may constitute a fire menace,

in such manner as he may deem proper, provided that no expense shall be incurred for such purpose beyond the amount of \$100 without the approval of the Minister.

Expenses.

(a) The expense so incurred shall be paid in the first instance out of any appropriation of the Fire Marshal's office.

(b) The Fire Marshal shall certify to the treasurer of the city, separated town or county within which the building, premises, or structure is situate, the expenses actually and necessarily incurred, and such treasurer shall forthwith pay the amount so certified to the Treasurer of Ontario, and the same may be entered upon the collector's roll against the land or premises in relation to which action was so taken and shall constitute a lien thereon and be levied and collected as taxes against such land or premises.

Commence-  
ment of Act.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

1870

1870

1870

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Fire Marshals Act.

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*1st Reading*

March 11th, 1929.

*2nd Reading*

March 15th, 1929.

*3rd Reading*

March 26th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Infants Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Infants Act, 1929*. Short title.

2. Section 1 of *The Infants Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 186, s. 1,  
amended.

(3) Where it is made to appear to the judge of the surrogate court of the county or district in which the infant resides in whose favour an order has been made under subsection 2, that default has been made in payment of any sum of money so ordered to be paid, the judge of the surrogate court,— Enforce-  
ment of  
order.

(a) may from time to time summon the person in default to explain the default, and

(b) may, where service of the summons has been proved, and the person in default does not appear or sufficient reason for his absence is not given, or where it appears that the summons cannot be served, issue an order for the arrest of such person, and

(c) may, when an order has been issued, or where the person in default fails to satisfy the judge that such default is due to inability to pay, order and adjudge such person to be imprisoned for a term not exceeding three months unless the sums of money payable under the order are sooner paid.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Infants Act.

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*1st Reading*

March 11th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Infants Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Infants Act, 1929*. Short title.

2. Section 1 of *The Infants Act* is amended by adding thereto the following subsection: Rev. Stat., c. 186, s. 1, amended.

(3) Where it is made to appear to the judge of the surrogate court of the county or district in which the infant resides in whose favour an order has been made under subsection 2, that default has been made in payment of any sum of money so ordered to be paid, the judge of the surrogate court,— Enforcement of order.

(a) may from time to time summon the person in default to explain the default, and

(b) may, where service of the summons has been proved, and the person in default does not appear or sufficient reason for his absence is not given, or where it appears that the summons cannot be served, issue an order for the arrest of such person, and

(c) may, when an order has been issued, or where the person in default fails to satisfy the judge that such default is due to inability to pay, order and adjudge such person to be imprisoned for a term not exceeding three months unless the sums of money payable under the order are sooner paid.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Infants Act.

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*1st Reading*

March 11th, 1929.

*2nd Reading*

March 15th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. PRICE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Loan and Trust Corporations Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Loan and Trust Corporations Act, 1929*. Short title.

2. Subsection 1 of section 17 of *The Loan and Trust Corporations Act* is repealed, and the following substituted therefor: Rev. Stat., c. 223, s. 17, subs. 1, amended.

17.—(1) All moneys received by a trust company for guaranteed investment as set out in subsection 1 of section 16, and as deposits as set out in subsection 2 of section 16 and subsection 3 of section 18, shall be invested in or loaned upon such securities only as are authorized by section 28a of this Act; provided, however, that at all times at least fifty per centum of such moneys shall be invested in or loaned upon such securities only as are authorized by *The Trustee Act*.

3. Subsection 2 of section 17 of *The Loan and Trust Corporations Act* is amended by striking out the words "with any chartered bank of Canada" after the word "deposit" in the tenth line. Rev. Stat., c. 223, s. 17, subs. 2, amended.

4. Subsection 2 of section 18 of *The Loan and Trust Corporations Act* as amended by section 1 of *The Loan and Trust Corporations Act, 1928*, is amended by striking out the figures "28" in the third line and inserting in lieu thereof the figures and letter "28a." Rev. Stat., c. 223, s. 18, subs. 2, amended.

5. Subsection 4 of section 18 of *The Loan and Trust Corporations Act* is amended by striking out the words "with any chartered bank of Canada" after the word "deposit" in the sixth line. Rev. Stat., c. 223, s. 18, subs. 4, amended.

Rev. Stat.,  
c. 223, s. 18,  
subs. 5,  
amended.

6. Subsection 5 of section 18 of *The Loan and Trust Corporations Act* is amended by striking out the words "with any chartered bank of Canada" after the word "deposit" in the tenth line, and by adding the words "or of any city in Canada" after the word "Ontario" in the fifteenth line.

Rev. Stat.,  
c. 223,  
amended.

7. *The Loan and Trust Corporations Act* is further amended by adding thereto the following section:

Invest-  
ments by  
trust  
companies.

28a.—(1) Subject to the provisions of subsection 1 of section 17 a registered trust company may purchase or invest in the following,—

Real  
estate.

(a) Mortgages, charges, or hypothecs upon real estate in Ontario or elsewhere where the company is authorized to extend its business under the provisions of section 23.

Govern-  
ment  
bonds.

(b) The debentures, bonds, stock or other securities of or guaranteed by the government of the Dominion of Canada or of or guaranteed by the government of any province of Canada, or of or guaranteed by the government of Great Britain, or of any dominion, colony or dependency thereof, or of any state forming part of such colony or dependency; or of or guaranteed by any foreign country or state forming part of such foreign country where the interest on the securities of such foreign country or state has been paid regularly for the previous ten years; or of any municipality or school corporation in Canada, or elsewhere where the company is carrying on business, or guaranteed by any municipal corporation in Canada, or secured by rates or taxes levied under the authority of the government of any province of Canada on property situated in such province and collectable by the municipalities in which such property is situated.

Bonds  
secured by  
trust deed.

(c) The bonds, debentures, debenture stock, or other securities of any company or bank incorporated by Canada, or by any province of Canada, or by any former province now forming part of Canada, which are secured by a mortgage or hypothec to a trust company either singly or jointly with another trustee upon improved real estate of such company or other assets of such company

of the classes mentioned in paragraphs (a) and (b) hereof.

- (d) The debentures or other evidences of indebtedness of any company or bank which has paid regular dividends on its preferred or on its common stocks for a term of at least five years immediately preceding the date of investment in such debentures or other evidences of indebtedness. <sup>Debentures.</sup>
- (e) The preferred stocks of any company or bank which has paid regular dividends upon such stocks or upon its common stocks for not less than five years preceding the purchase of such preferred stocks, or the stocks of any company which are guaranteed by a company which has paid regular dividends upon its preferred or common stocks for not less than five years preceding the purchase of such guaranteed stocks; provided that the amount of stocks so guaranteed is not in excess of fifty per centum of the amount of the preferred or common stocks, as the case may be, of the guaranteeing company; or, <sup>Preferred stock.</sup>
- (f) The common stocks of any company, corporation or bank upon which regular dividends of at least four per centum per annum, or, in the case of stocks of no par value, of at least four dollars per share per annum, have been paid for the seven years next preceding the the purchase of such stocks; provided further that if any such company or corporation has, pursuant to a voluntary reorganization of its capital account and without affecting the status or diminishing the value of its outstanding securities, including the capital stock, substituted common shares of no par value for shares of par value, then dividends declared on the said no par value stock shall be deemed to be dividends of at least four dollars per share per annum if the sum thereof is equivalent to at least four per centum of the said common stock of par value and the proceeds of any additional issue of common stock made at the time of, or subsequent to, the aforesaid substitution of shares; and in such circumstances dividends of at least four per centum per annum on the common stock <sup>Common stock.</sup>

of par value immediately preceding the substitution shall be regarded as dividends on the no par value stock; and if any such company or corporation has in any year paid dividends on its common stock amounting to not less than five hundred thousand dollars, the payment of such dividends shall be deemed to be for the purposes of this section equivalent to the payment of a dividend of four per centum for the said year.

Loans on securities.

(2) Subject to the provisions of subsection 1 of section 17 a registered corporation may lend its funds on the security of,—

Real estate.

(a) Any of the securities mentioned in paragraphs (a), (b) and (c) of subsection 1 hereof, or on improved real estate or leaseholds, or,

Bonds, debentures, etc.  
See R.S.C., c. 28, s. 61, 2, cl. b.

(b) The bonds, debentures, notes, stocks, or other securities of any company or bank, other than those mentioned in paragraph (c) of subsection 1 hereof, provided that the market value of the securities on which the loan is made shall at all times exceed the amount of the loan by at least twenty per centum of such market value; and provided further that the amount loaned on the security of the stocks of any such company or bank shall not at any time exceed ten per centum of the market value of the total outstanding stocks of such company or bank.

Rev. Stat., c. 223, s. 29, subs. 1, cl. c, amended.

**8.** The clause lettered (c) in subsection 1 of section 29 of *The Loan and Trust Corporations Act* is amended by adding at the end thereof the words "Provided, however, that this clause shall not apply to investments made by a trust company in the securities prescribed in section 28a of this Act."

Rev. Stat., c. 223, amended.

**9.** *The Loan and Trust Corporations Act* is further amended by adding thereto the following section:

Other investments authorized by Lieutenant-Governor in Council.

29a.—(1) The Lieutenant-Governor in Council may authorize the acceptance by a corporation of bonds, notes, stocks, debentures, or other assets not fulfilling the requirements of this Act,—

(a) in payment or part payment for securities sold by such corporation; or

- (b) obtained under a *bona fide* arrangement for the reorganization of a company whose securities were previously owned by such corporation; or
- (c) for the amalgamation with another company or the company whose securities were so owned; or
- (d) obtained for the *bona fide* purpose of protecting investments previously made by the corporation; or,
- (e) obtained by virtue of the purchase by the corporation of the assets of another corporation;

but the bonds, notes, stocks or debentures or other assets whose acceptance is so authorized shall be absolutely sold and disposed of within five years after the acquisition thereof, or within such further time not exceeding one year as the Lieutenant-Governor in Council shall, on report of the Minister fix and determine unless it can be shown to the satisfaction of the Minister that the bonds, notes, stocks, debentures or other assets whose acceptance is so authorized are not inferior in status or value to the securities for which they have been substituted.

- (2) For the purpose of determining the eligibility as <sup>Stocks of reorganized companies.</sup> investments under this Act of the preferred or common stocks of any company, which has been voluntarily reorganized without the impairment of the status or value of its securities, dividends paid on the preferred and common stocks of the company before such reorganization may be counted as dividends paid on such stocks respectively of the reorganized company.

**10.** Section 45 of *The Loan and Trust Corporations Act* is <sup>Rev. Stat., c. 223, s. 45, amended.</sup> amended by striking out the words "with any chartered bank of Canada" after the word "deposit" in the sixth line, and by inserting the words "or of any city in Canada" after the word "Ontario" in the twelfth line.

**11.** Section 67 of *The Loan and Trust Corporations Act* is <sup>Rev. Stat., c. 223, s. 67, amended.</sup> amended by striking out the words "but of the age of fifteen years and upwards" after the word "years" in the first line, and by striking out the word "loan" in the third line.

Rev. Stat.,  
c. 223, s. 73,  
subs. 1;  
s. 74, subs. 1,  
amended. **12.** Subsection 1 of section 73 and subsection 1 of section 74 of *The Loan and Trust Corporations Act* are amended by striking out the figures "\$300" in the second line and inserting in lieu thereof the figures "\$600."

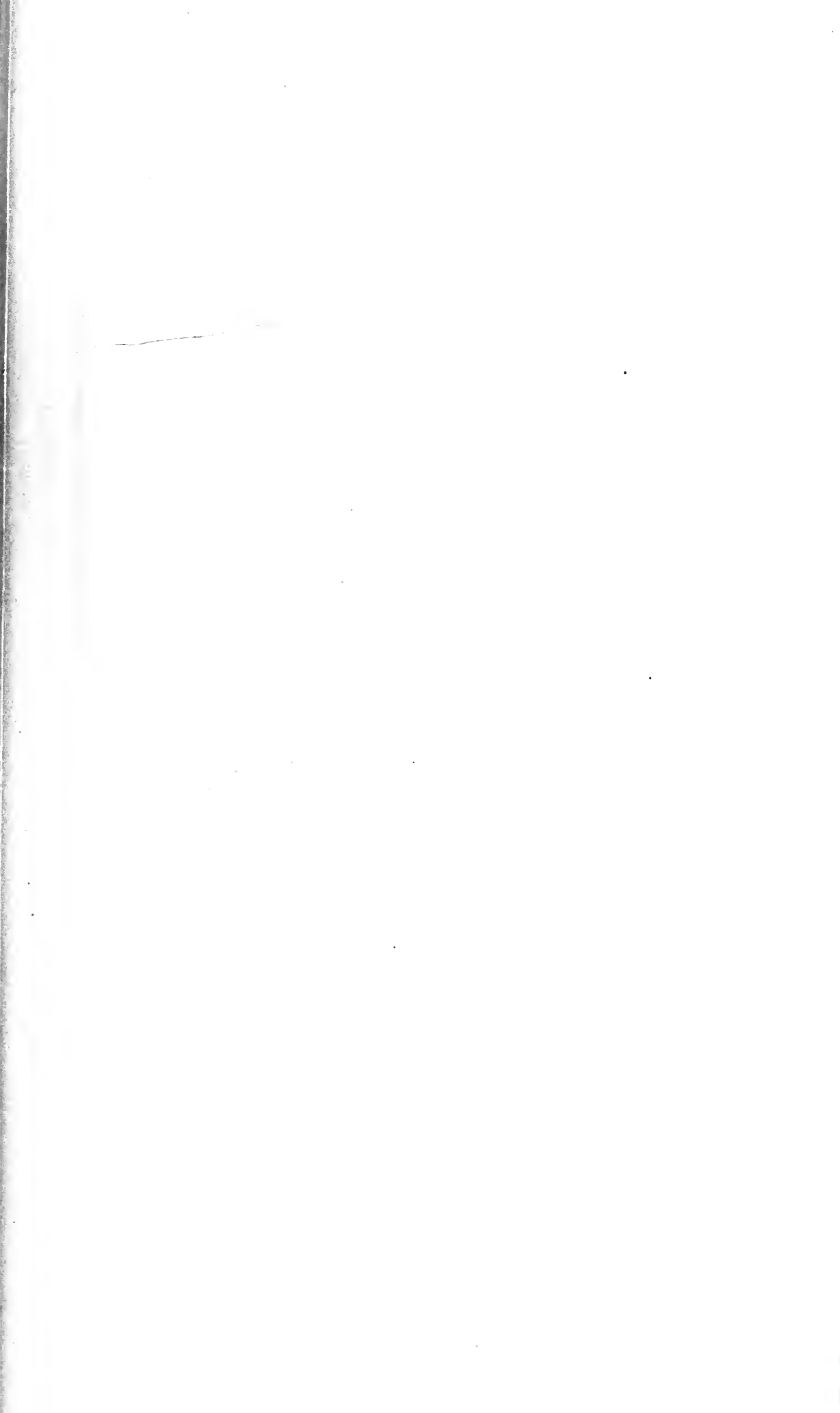
Rev. Stat.,  
c. 223, s. 77,  
subs. 2,  
amended. **13.** Subsection 2 of section 77 of *The Loan and Trust Corporations Act* is amended by striking out the word "fifteen" in the seventh line and inserting in lieu thereof the word "ten."

Rev. Stat.,  
c. 223, s. 110,  
subs. 4,  
amended. **14.** Subsection 4 of section 110 of *The Loan and Trust Corporations Act* is amended by striking out the words "two weeks" in the second line and inserting in lieu thereof the words "ten days."

Rev. Stat.,  
c. 223, s. 3,  
subs. 2,  
cl. 1,  
amended. **15.** Clause lettered (i) in subsection 2 of section 3 is amended by striking out the words "two weeks" in the second line and inserting in lieu thereof the words "ten days."

Commence-  
ment of Act. **16.** This Act shall come into force on the day upon which it receives the Royal Assent.





Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Loan and Trust  
Corporations Act.

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*1st Reading*

March 11th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Loan and Trust Corporations Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Loan and Trust Corporations Act, 1929.* Short title.

**2.** The clause lettered *i* in subsection 2 of section 3 is amended by striking out the words "two weeks" in the second line and inserting in lieu thereof the words "ten days." Rev. Stat., c. 223, s. 3, subs. 2, cl. 1, amended.

**3.**—(1) Subsection 1 of section 17 of *The Loan and Trust Corporations Act* is repealed, and the following substituted therefor: Rev. Stat., c. 223, s. 17, subs. 1, amended.

(1) All moneys received by a trust company for guaranteed investment as set out in subsection 1 of section 16, and as deposits as set out in subsection 2 of section 16 and subsection 3 of section 18, shall be invested in or loaned upon such securities only as are authorized by section 28*a* of this Act; provided, however, that at all times at least fifty per centum of such moneys shall be invested in or loaned upon such securities only as are authorized by *The Trustee Act.*

(2) Subsection 2 of the said section 17 is amended by striking out the words "with any chartered bank of Canada" after the word "deposit" in the tenth line. Rev. Stat., c. 223, s. 17, subs. 2, amended.

**4.**—(1) Subsection 2 of section 18 of *The Loan and Trust Corporations Act* as amended by section 1 of *The Loan and Trust Corporations Act, 1928*, is amended by striking out the figures "28" in the third line and inserting in lieu thereof the figures and letter "28*a*." Rev. Stat., c. 223, s. 18, subs. 2, amended.

(2) Subsection 4 of the said section 18 is amended by striking out the words "with any chartered bank of Canada" after the word "deposit" in the sixth line. Rev. Stat., c. 223, s. 18, subs. 4, amended.

Rev. Stat.,  
c. 223, s. 18,  
subs. 5,  
amended. (3) Subsection 5 of the said section 18 is amended by striking out the words "with any chartered bank of Canada" after the word "deposit" in the tenth line, and by adding the words "or of any city in Canada" after the word "Ontario" in the fifteenth line.

Rev. Stat.,  
c. 223,  
amended. **5.** *The Loan and Trust Corporations Act* is further amended by adding thereto the following section:

Invest-  
ments by  
trust  
companies.

28a.—(1) Subject to the provisions of subsection 1 of section 17 a registered trust company may purchase or invest in the following,—

Real  
estate.

(a) Mortgages, charges, or hypothecs upon real estate in Ontario or elsewhere where the company is authorized to extend its business under the provisions of section 23.

Govern-  
ment  
bonds.

(b) The debentures, bonds, stock or other securities of or guaranteed by the government of the Dominion of Canada or of or guaranteed by the government of any province of Canada, or of or guaranteed by the government of Great Britain, or of any dominion, colony or dependency thereof, or of any state forming part of such colony or dependency; or of or guaranteed by any foreign country or state forming part of such foreign country where the interest on the securities of such foreign country or state has been paid regularly for the previous ten years; or of any municipality or school corporation in Canada, or elsewhere where the company is carrying on business, or guaranteed by any municipal corporation in Canada, or secured by rates or taxes levied under the authority of the government of any province of Canada on property situated in such province and collectable by the municipalities in which such property is situated.

Bonds  
secured by  
trust deed.

(c) The bonds, debentures, debenture stock, or other securities of any company or bank incorporated by Canada, or by any province of Canada, or by any former province now forming part of Canada, which are secured by a mortgage or hypothec to a trust company either singly or jointly with another trustee upon improved real estate of such company or other assets of such company

of the classes mentioned in paragraphs (a) and (b) hereof.

- (d) The debentures or other evidences of indebtedness of any company or bank which has paid regular dividends on its preferred or on its common stocks for a term of at least five years immediately preceding the date of investment in such debentures or other evidences of indebtedness. <sup>Debentures.</sup>
- (e) The preferred stocks of any company or bank which has paid regular dividends upon such stocks or upon its common stocks for not less than five years preceding the purchase of such preferred stocks, or the stocks of any company which are guaranteed by a company which has paid regular dividends upon its preferred or common stocks for not less than five years preceding the purchase of such guaranteed stocks; provided that the amount of stocks so guaranteed is not in excess of fifty per centum of the amount of the preferred or common stocks, as the case may be, of the guaranteeing company; or, <sup>Preferred stock.</sup>
- (f) The common stocks of any company, corporation or bank upon which regular dividends of at least four per centum per annum, or, in the case of stocks of no par value, of at least four dollars per share per annum, have been paid for the seven years next preceding the purchase of such stocks; provided further that if any such company or corporation has, pursuant to a voluntary reorganization of its capital account and without affecting the status or diminishing the value of its outstanding securities, including the capital stock, substituted common shares of no par value for shares of par value, then dividends declared on the said no par value stock shall be deemed to be dividends of at least four dollars per share per annum if the sum thereof is equivalent to at least four per centum of the said common stock of par value and the proceeds of any additional issue of common stock made at the time of, or subsequent to, the aforesaid substitution of shares; and in such circumstances dividends of at least four per centum per annum on the common stock <sup>Common stock.</sup>

of par value immediately preceding the substitution shall be regarded as dividends on the no par value stock; and if any such company or corporation has in any year paid dividends on its common stock amounting to not less than five hundred thousand dollars, the payment of such dividends shall be deemed to be for the purposes of this section equivalent to the payment of a dividend of four per centum for the said year.

Loans on securities.

- (2) Subject to the provisions of subsection 1 of section 17 a registered corporation may lend its funds on the security of,—

Real estate.

- (a) Any of the securities mentioned in paragraphs (a), (b) and (c) of subsection 1 hereof, or on improved real estate or leaseholds, or,

Bonds, debentures, etc.  
See R.S.C., c. 28, s. 61, 2, cl. b.

- (b) The bonds, debentures, notes, stocks, or other securities of any company or bank, other than those mentioned in paragraph (c) of subsection 1 hereof, provided that the market value of the securities on which the loan is made shall at all times exceed the amount of the loan by at least twenty per centum of such market value; and provided further that the amount loaned on the security of the stocks of any such company or bank shall not at any time exceed ten per centum of the market value of the total outstanding stocks of such company or bank.

Rev. Stat., c. 223, s. 29, subs. 1, cl. c, amended.

**6.** The clause lettered *c* in subsection 1 of section 29 of *The Loan and Trust Corporations Act* is amended by adding at the end thereof the words "Provided, however, that this clause shall not apply to investments made by a trust company in the securities prescribed in section 28*a* of this Act."

Rev. Stat., c. 223, amended.

**7.** *The Loan and Trust Corporations Act* is further amended by adding thereto the following section:

Other investments authorized by Lieutenant-Governor in Council.

29*a*.—(1) The Lieutenant-Governor in Council may authorize the acceptance by a corporation of bonds, notes, stocks, debentures, or other assets not fulfilling the requirements of this Act,—

- (a) in payment or part payment for securities sold by such corporation; or

- (b) obtained under a *bona fide* arrangement for the reorganization of a company whose securities were previously owned by such corporation; or
- (c) for the amalgamation with another company or the company whose securities were so owned; or
- (d) obtained for the *bona fide* purpose of protecting investments previously made by the corporation; or,
- (e) obtained by virtue of the purchase by the corporation of the assets of another corporation;

but the bonds, notes, stocks or debentures or other assets whose acceptance is so authorized shall be absolutely sold and disposed of within five years after the acquisition thereof, or within such further time not exceeding one year as the Lieutenant-Governor in Council shall, on report of the Minister fix and determine unless it can be shown to the satisfaction of the Minister that the bonds, notes, stocks, debentures or other assets whose acceptance is so authorized are not inferior in status or value to the securities for which they have been substituted.

- (2) For the purpose of determining the eligibility as investments under this Act of the preferred or common stocks of any company, which has been voluntarily reorganized without the impairment of the status or value of its securities, dividends paid on the preferred and common stocks of the company before such reorganization may be counted as dividends paid on such stocks respectively of the reorganized company.

**8.** Section 45 of *The Loan and Trust Corporations Act* is amended by striking out the words "with any chartered bank of Canada" after the word "deposit" in the sixth line, and by inserting the words "or of any city in Canada" after the word "Ontario" in the twelfth line.

Rev. Stat.,  
c. 223,  
s. 45,  
amended.

**9.** Section 67 of *The Loan and Trust Corporations Act* is amended by striking out the words "but of the age of fifteen years and upwards" after the word "years" in the first line, and by striking out the word "loan" in the third line.

Rev. Stat.,  
c. 223, s. 67,  
amended.

Rev. Stat.,  
c. 223, s. 73,  
subs. 1; s. 74  
amended. **10.** Subsection 1 of section 73 and section 74 of *The Loan and Trust Corporations Act* are amended by striking out the word "loan" in the first line, and are further amended by striking out the figures "\$300" in the second line and inserting in lieu thereof the figures "\$600."

Rev. Stat.,  
c. 223, s. 77,  
subs. 2,  
amended. **11.** Subsection 2 of section 77 of *The Loan and Trust Corporations Act* is amended by striking out the word "fifteen" in the seventh line and inserting in lieu thereof the word "ten."

Rev. Stat.,  
c. 223, s. 110,  
subs. 4,  
amended. **12.** Subsection 4 of section 110 of *The Loan and Trust Corporations Act* is amended by striking out the words "two weeks" in the second line and inserting in lieu thereof the words "ten days."

Commence-  
ment of Act. **13.** This Act shall come into force on the day upon which it receives the Royal Assent.





Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Loan and Trust  
Corporations Act.

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*1st Reading*

March 11th, 1929.

*2nd Reading*

March 15th, 1929.

*3rd Reading*

March 26th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## The School Law Amendment Act, 1929.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The School Law Amendment Act, 1929.* Short title.

**2.** Section 88 of *The Public Schools Act* is amended by adding thereto the following clause: Rev. Stat., c. 323, s. 88, amended.

(*it*) To contribute, as deemed expedient, towards providing life insurance for teachers and officers of the board. Insurance for teachers and officers.

**3.** *The Public Schools Act* is amended by adding thereto the following section: Rev. Stat., c. 323, amended.

92a. The board may provide or may co-operate with the boards of adjacent school sections in providing for the transportation of pupils to and from continuation schools, high schools or vocational schools which such pupils have the right by law to attend, and any payment or liability heretofore made or incurred for such purpose under agreement or otherwise shall be deemed to have been valid and to have been legally made or incurred. Transportation of pupils, arrangements as to.

**4.** Subsection 2 of section 118 of *The Public Schools Act* is repealed and the following substituted therefor: Rev. Stat., c. 323, s. 118, subs. 2, repealed.

(2) (*a*) Every county inspector appointed after the 1st day of May, 1926, and before the 1st day of May, 1929, shall be paid for the first year's service at the rate of \$3,000 per annum, and for each subsequent year's service at the rate of \$200 additional in each year until his salary amounts to \$3,600 per annum, and the first annual increase of \$200 shall Inspectors' salaries.

be payable as from the 1st day of November of the year following that in which the inspector receives his appointment.

- (b) Every county inspector appointed after the 1st day of May, 1929, shall be paid for the first year of service at the rate of \$3,000 per annum and for each subsequent year's service at the rate of \$150 additional in each year until his salary amounts to \$3,600 per annum, and the first annual increase of \$150 shall be payable as from the 1st day of November in the year following that in which the inspector receives his appointment.

Rev. Stat.,  
c. 325, s. 1,  
cl. d,  
amended.

**5.** The clause lettered *d* in section 1 of *The Continuation Schools Act* is amended by adding after the word "gymnasium" in the sixth line the words "and other buildings or fixtures to be used for the purpose of carrying on such school activities as are specified or permitted by the regulations," so that the clause will now read as follows:

"Permanent  
improvements,"  
what to  
include.

- (d) "Permanent improvements" shall include the purchase or rental of a residence for a teacher or of a school site, the erection or rental of a school house, the enlargement of both or either of them, changing the system of heating or ventilation, the erection of fences, outhouses and gymnasium and other buildings or fixtures to be used for the purpose of carrying on such school activities as are specified or permitted by the regulations, the purchase of school furniture, maps and apparatus, library and all other appliances required by the regulations.

Rev. Stat.,  
c. 325, s. 7,  
subs. 2,  
cl. b  
amended.

**6.** The clause lettered *b* in subsection 2 of section 7 of *The Continuation Schools Act* is amended by adding thereto the following words:

County  
grant to  
continua-  
tion school.

"There shall be paid also by the county to a continuation school established in an incorporated village or in a consolidated school district the share of the cost of the education of county pupils which the area which constitutes a continuation school district of an incorporated village or a consolidated school district which maintains a continuation school paid to the county during the preceding year, as included in the rates levied by the county council according to the relative equalized value."

Rev. Stat.,  
c. 326, s. 1,  
subs. 1,  
cl. k,  
amended.

**7.** The clause lettered *k* in subsection 1 of section 1 of *The High Schools Act* is amended by adding after the word

“gymnasium” in the sixth line the words “and other buildings or fixtures to be used for the purpose of carrying on such school activities as are specified or permitted by the regulations” so that the clause will now read as follows:

- (k) “Permanent improvements” shall include the purchase or rental of a residence for a teacher, or of a school site, the erection or rental of a school house, the enlargement of both or either of them, changing the system of heating or ventilation, the erection of fences, outhouses and gymnasium, and other buildings or fixtures to be used for the purpose of carrying on such school activities as are specified or permitted by the regulations, the purchase of school furniture, maps and apparatus, library and all other appliances required by the regulations.
- “Permanent improvements,” what to include.

8. Subsection 4 of section 6 of *The High Schools Act* as re-enacted by section 4 of *The School Law Amendment Act, 1928*, is amended by striking out the word “county” in the third line and inserting in lieu thereof the word “township,” so that the subsection will now read as follows:

Rev. Stat., c. 326, s. 6, subs. 4 (1928, c. 53, s. 4), amended.

- (4) The board of trustees shall be composed of six members who shall be appointed by the council of the township.
- Appointment of high school trustees.

9.—(1) The clause lettered *f* in section 23 of *The High Schools Act* is amended by inserting the word “resident” before the word “pupils” in the second line, and by striking out the words “in a township” in the third line so that the said clause will now read as follows:

Rev. Stat., c. 326, s. 23, c. f, amended.

- (f) to provide, where the board deems it expedient, for the transportation of resident pupils attending high school and to enter into an agreement for that purpose with any municipal corporation or commission, or with any other person authorized so to do for granting special rates or making other arrangements for the transportation of such pupils on any street railway or by bus or otherwise and to pay for such transportation out of any funds available for the maintenance of the high school.
- Transportation of pupils, arrangements as to.

(2) The said section 23 is further amended by adding thereto the following clause:

Rev. Stat., c. 326, s. 23, amended.

- (kk) To contribute, as deemed expedient, towards providing life insurance for teachers and officers of the board.

10. Section 37 of *The High Schools Act* is amended by adding thereto the following subsection:

Rev. Stat., c. 326, s. 37, amended.

Right to attend school after notice from board that school open to county pupils, etc.

- (3a) When a notice under subsection 1, subsection 2 or subsection 3 has been given by a high school board to the clerk of the municipality, the pupils concerned shall have the right to attend the high school under the jurisdiction of such board until the expiration of one school year after the board has given notice on or before the 30th day of June in any year that the high school is no longer open to pupils under the terms of such subsections.

Rev. Stat., c. 326, s. 45, subs. 5, repealed.

**11.** Subsection 5 of section 45 of *The High Schools Act* is repealed and the following substituted therefor:

Agreements for payment of fees of non-resident pupils.

- (5) The council of a county or of any municipality within the county may enter into an agreement with the board of education or high school board of any city or separated town in the county, or with the board of a high school district in an adjacent county, for the payment of the whole or any part of any fees which may be legally imposed upon pupils from such county or municipality within the county attending a high school, collegiate institute or vocational school under the control of such board of education or high school board.

Rev. Stat., c. 327, s. 2, repealed.

**12.** Section 2 of *The Boards of Education Act* is amended by adding thereto the following subsection:

Municipal board in town or village.

- (1a) The council of a town or village which has been established as a high school district in accordance with section 6 of *The High Schools Act*, may on or before the 1st day of October in any year, at a meeting specially called for that purpose, declare by resolution that it is expedient to form a board of education under this Act for the purpose of establishing and maintaining one or more public and high schools in the municipality.

Rev. Stat., c. 331, s. 14, amended.

**13.** Section 14 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding thereto the following clause:

Regulations as to withdrawal of contributions.

- (ii) Prescribing the conditions upon which a teacher or inspector retiring from the profession before becoming entitled to a superannuation allowance may withdraw his contributions from the Fund, and defining his status as regards the Fund upon his return to employment in the profession, and defining and limiting the time and manner in which the right to so withdraw contributions may be exercised, and prescribing the time within which, after he returns to the profession, his contributions to the Fund may be returned to it.

**14.** Section 12 of *The Vocational Education Act* is amended by adding thereto the following subsection: Rev. Stat., c. 334, s. 12, amended.

- (6) Subject to the approval of the Minister, an advisory committee may appoint one or more officers qualified according to the regulations, to collect and distribute information regarding available occupations and employments, and to offer such counsel to the pupils of the schools under the charge of the advisory committee as will enable them to plan intelligently for their vocational and educational advancement, and every person so appointed shall be subject to the control of the advisory committee. Appointment of officers to advise vocational school pupils.

**15.** Section 13 of *The Vocational Education Act* is amended by adding thereto the following subsection: Rev. Stat., c. 334, s. 13, amended.

- (3) Grants towards the cost of education of county pupils, as defined in section 1 of *The High Schools Act*, in attendance at vocational schools or departments shall be made by county councils in the same manner as in the case of such pupils in attendance at high schools. County council's grant for county pupils.

**16.** The council of the county of Welland with the approval of the Minister may by by-law declare that School Section No. 11 in the township of Bertie, including therein the village of Crystal Beach which at the present time constitutes a continuation school district, shall be a high school district and thereupon trustees shall be appointed and such high school board shall have and may exercise all rights and powers, and perform all the duties and be subject to the like provisions as the board of a high school district established under *The High Schools Act*. School Section 11, Bertie, to be a high school district.

**17.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.







Ontario.  
19 George V, 1929.

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BILL.

The School Law Amendment Act, 1929.

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*1st Reading*

March 12th, 1929.

*2nd Reading*

*3rd Reading*

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MR. FERGUSON.

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TORONTO:  
Printed by  
The Printer to the King's Most Excellent Majesty.

# BILL

## The School Law Amendment Act, 1929.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The School Law Amendment Act, 1929.* Short title.
2. Section 88 of *The Public Schools Act* is amended by adding thereto the following clause: Rev. Stat., c. 323, s. 88, amended.
  - (i) To contribute, as deemed expedient, towards providing life insurance for teachers and officers of the board. Insurance for teachers and officers.
3. *The Public Schools Act* is amended by adding thereto the following section: Rev. Stat., c. 323, amended.
  - 92a. The board may provide or may co-operate with the boards of adjacent school sections in providing for the transportation of pupils to and from continuation schools, high schools or vocational schools which such pupils have the right by law to attend, and any payment or liability heretofore made or incurred for such purpose under agreement or otherwise shall be deemed to have been valid and to have been legally made or incurred. Transportation of pupils, arrangements as to.
4. Subsection 2 of section 118 of *The Public Schools Act* is repealed and the following substituted therefor: Rev. Stat., c. 323, s. 118, subs. 2, repealed.
  - (2) (a) Every county inspector appointed after the 1st day of May, 1926, and before the 1st day of May, 1929, shall be paid for the first year's service at the rate of \$3,000 per annum, and for each subsequent year's service at the rate of \$200 additional in each year until his salary amounts to \$3,600 per annum, and the first annual increase of \$200 shall Inspectors' salaries.

be payable as from the 1st day of November of the year following that in which the inspector receives his appointment.

- (b) Every county inspector appointed after the 1st day of May, 1929, shall be paid for the first year of service at the rate of \$3,000 per annum and for each subsequent year's service at the rate of \$150 additional in each year until his salary amounts to \$3,600 per annum, and the first annual increase of \$150 shall be payable as from the 1st day of November in the year following that in which the inspector receives his appointment.

Rev. Stat.,  
c. 325, s. 1,  
cl. d,  
amended.

5. The clause lettered *d* in section 1 of *The Continuation Schools Act* is amended by adding after the word "gymnasium" in the sixth line the words "and other buildings or fixtures to be used for the purpose of carrying on such school activities as are specified or permitted by the regulations," so that the clause will now read as follows:

"Permanent  
improvements,"  
what to  
include.

- (d) "Permanent improvements" shall include the purchase or rental of a residence for a teacher or of a school site, the erection or rental of a school house, the enlargement of both or either of them, changing the system of heating or ventilation, the erection of fences, outhouses and gymnasium and other buildings or fixtures to be used for the purpose of carrying on such school activities as are specified or permitted by the regulations, the purchase of school furniture, maps and apparatus, library and all other appliances required by the regulations.

Rev. Stat.,  
c. 325, s. 7,  
subs. 2,  
cl. b  
amended.

6. The clause lettered *b* in subsection 2 of section 7 of *The Continuation Schools Act* is amended by adding thereto the following words:

County  
grant to  
continua-  
tion school.

"There shall be paid also by the county to a continuation school established in an incorporated village or in a consolidated school district the share of the cost of the education of county pupils which the area which constitutes a continuation school district of an incorporated village or a consolidated school district which maintains a continuation school paid to the county during the preceding year, as included in the rates levied by the county council according to the relative equalized value."

Rev. Stat.,  
c. 326, s. 1,  
subs. 1,  
cl. k,  
amended.

7. The clause lettered *k* in subsection 1 of section 1 of *The High Schools Act* is amended by adding after the word

“gymnasium” in the sixth line the words “and other buildings or fixtures to be used for the purpose of carrying on such school activities as are specified or permitted by the regulations” so that the clause will now read as follows:

- (k) “Permanent improvements” shall include the purchase or rental of a residence for a teacher, or of a school site, the erection or rental of a school house, the enlargement of both or either of them, changing the system of heating or ventilation, the erection of fences, outhouses and gymnasium, and other buildings or fixtures to be used for the purpose of carrying on such school activities as are specified or permitted by the regulations, the purchase of school furniture, maps and apparatus, library and all other appliances required by the regulations.

“Permanent improvements,” what to include.

8. Subsection 4 of section 6 of *The High Schools Act* as re-enacted by section 4 of *The School Law Amendment Act, 1928*, is amended by striking out the word “county” in the third line and inserting in lieu thereof the word “township,” so that the subsection will now read as follows:

Rev. Stat., c. 326, s. 6, subs. 4 (1928, c. 53, s. 4), amended.

- (4) The board of trustees shall be composed of six members who shall be appointed by the council of the township.

Appointment of high school trustees.

9.—(1) The clause lettered *f* in section 23 of *The High Schools Act* is amended by inserting the word “resident” before the word “pupils” in the second line, and by striking out the words “in a township” in the third line so that the said clause will now read as follows:

Rev. Stat., c. 326, s. 23, c. f, amended.

- (f) to provide, where the board deems it expedient, for the transportation of resident pupils attending high school and to enter into an agreement for that purpose with any municipal corporation or commission, or with any other person authorized so to do for granting special rates or making other arrangements for the transportation of such pupils on any street railway or by bus or otherwise and to pay for such transportation out of any funds available for the maintenance of the high school.

Transportation of pupils, arrangements as to.

(2) The said section 23 is further amended by adding thereto the following clause:

Rev. Stat., c. 326, s. 23, amended.

- (kk) To contribute, as deemed expedient, towards providing life insurance for teachers and officers of the board.

10. Section 37 of *The High Schools Act* is amended by adding thereto the following subsection:

Rev. Stat., c. 326, s. 37, amended.

Right to attend school after notice from board that school open to county pupils, etc.

(3a) When a notice under subsection 1, subsection 2 or subsection 3 has been given by a high school board to the clerk of the municipality, the pupils concerned shall have the right to attend the high school under the jurisdiction of such board until the expiration of one school year after the board has given notice on or before the 30th day of June in any year that the high school is no longer open to pupils under the terms of such subsections.

Rev. Stat., c. 326, s. 45, subs. 5, repealed.

**11.** Subsection 5 of section 45 of *The High Schools Act* is repealed and the following substituted therefor:

Agreements for payment of fees of non-resident pupils.

(5) The council of a county or of any municipality within the county may enter into an agreement with the board of education or high school board of any city or separated town in the county, or with the board of a high school district in an adjacent county, for the payment of the whole or any part of any fees which may be legally imposed upon pupils from such county or municipality within the county attending a high school, collegiate institute or vocational school under the control of such board of education or high school board.

Rev. Stat., c. 327, s. 2, repealed.

**12.** Section 2 of *The Boards of Education Act* is amended by adding thereto the following subsection:

Municipal board in town or village.

(1a) The council of a town or village which has been established as a high school district in accordance with section 6 of *The High Schools Act*, may on or before the 1st day of October in any year, at a meeting specially called for that purpose, declare by resolution that it is expedient to form a board of education under this Act for the purpose of establishing and maintaining one or more public and high schools in the municipality.

Rev. Stat., c. 331, s. 14, amended.

**13.** Section 14 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding thereto the following clause:

Regulations as to withdrawal of contributions.

(ii) Prescribing the conditions upon which a teacher or inspector retiring from the profession before becoming entitled to a superannuation allowance may withdraw his contributions from the Fund, and defining his status as regards the Fund upon his return to employment in the profession, and defining and limiting the time and manner in which the right to so withdraw contributions may be exercised, and prescribing the time within which, after he returns to the profession, his contributions to the Fund may be returned to it.

**14.** Section 12 of *The Vocational Education Act* is amended by adding thereto the following subsection: Rev. Stat., c. 334, s. 12, amended.

- (6) Subject to the approval of the Minister, an advisory committee may appoint one or more officers qualified according to the regulations, to collect and distribute information regarding available occupations and employments, and to offer such counsel to the pupils of the schools under the charge of the advisory committee as will enable them to plan intelligently for their vocational and educational advancement, and every person so appointed shall be subject to the control of the advisory committee. Appointment of officers to advise vocational school pupils.

**15.** Section 13 of *The Vocational Education Act* is amended by adding thereto the following subsection: Rev. Stat., c. 334, s. 13, amended.

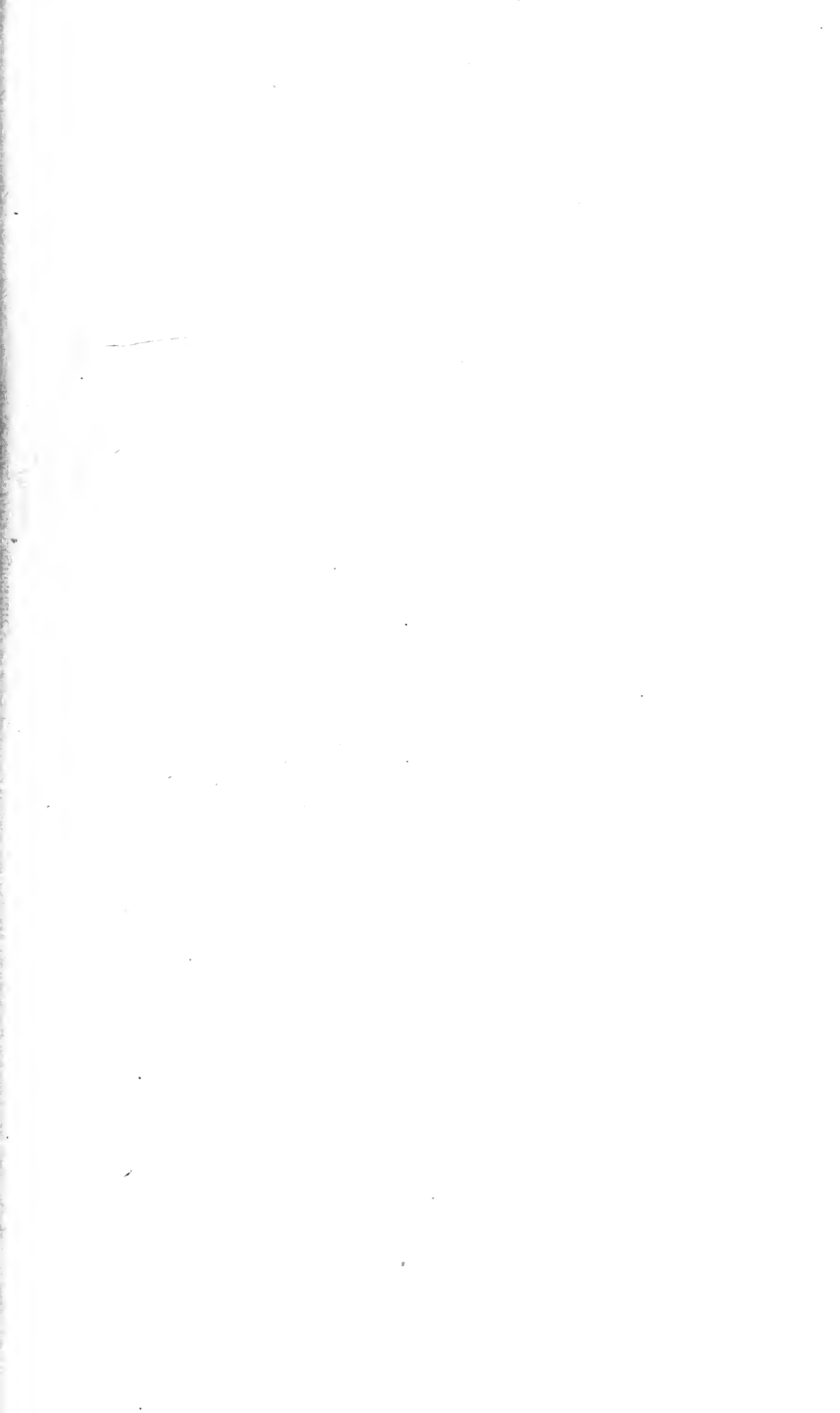
- (3) Grants towards the cost of education of county pupils, as defined in section 1 of *The High Schools Act*, in attendance at vocational schools or departments shall be made by county councils in the same manner as in the case of such pupils in attendance at high schools. County council's grant for county pupils.

**16.** The council of the county of Welland with the approval of the Minister may by by-law declare that School Section No. 11 in the township of Bertie, including therein the village of Crystal Beach which at the present time constitutes a continuation school district, shall be a high school district and thereupon trustees shall be appointed and such high school board shall have and may exercise all rights and powers, and perform all the duties and be subject to the like provisions as the board of a high school district established under *The High Schools Act*. School Section 11, Bertie, to be a high school district.

**17.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.







Ontario.  
19 George V, 1929.

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BILL.

The School Law Amendment Act, 1929.

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*1st Reading*

March 12th, 1929.

*2nd Reading*

March 15th, 1929.

*3rd Reading*

March 20th, 1929.

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MR. FERGUSON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act respecting the Transportation of Fowl on the Highways.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Transportation of Fowl Act, 1929.* Short title.

**2.** In this Act "Fowl" shall mean live fowl and dressed or undressed poultry. Interpretation.

**3.** This Act shall not apply to a producer or breeder of fowl or to a corporation having power to carry or transport fowl as a common carrier of goods, wares or merchandise. Non-application of Act.

**4.** No person shall carry or transport fowl on any highway in Ontario unless he holds a permit for that purpose granted by the council of the municipality, or in the case of a city by the board of police commissioners of the city in which he resides or carries on business. Permit required for transportation of fowl.

**5.** The council or the board of police commissioners, as the case may be, may grant such permits without passing any by-law for that purpose and charge a fee of \$1 for each permit and may revoke any permit granted and shall have the same discretion as to the granting or refusing to grant or the revoking of permits as it has with reference to licenses under *The Municipal Act.* Council or Police Commissioners to issue permits. Rev. Stat. c. 233.

**6.** The permit shall contain the name of the person to whom it is granted, the address of his residence or place of business, and set out that the holder is authorized to transport fowl on the highways in Ontario and shall remain in force for the calendar year in which it is issued. Contents of permit.

**7.** The clerk of the municipality or of the board of police commissioners shall keep a record of all permits issued which shall be open to inspection by any constable or peace officer. Record by clerk.

Permit and book for entry as to fowl to be carried.

**8.** The holder of a permit shall carry with him at all times when he is transporting fowl his permit and a book in which he shall enter at the time he receives them the number and kind of fowl and the name and address of the person from whom he received them, and to whom he is to deliver them, and in case of a purchase the price paid and shall produce the permit and the book when required by a constable or peace officer.

Inspection of premises of permit holder.

**9.** Any constable or peace officer may inspect the premises of the holder of a permit and any vehicle in his possession and no person shall obstruct or interfere with such constable or peace officer when making such inspection.

Penalties.

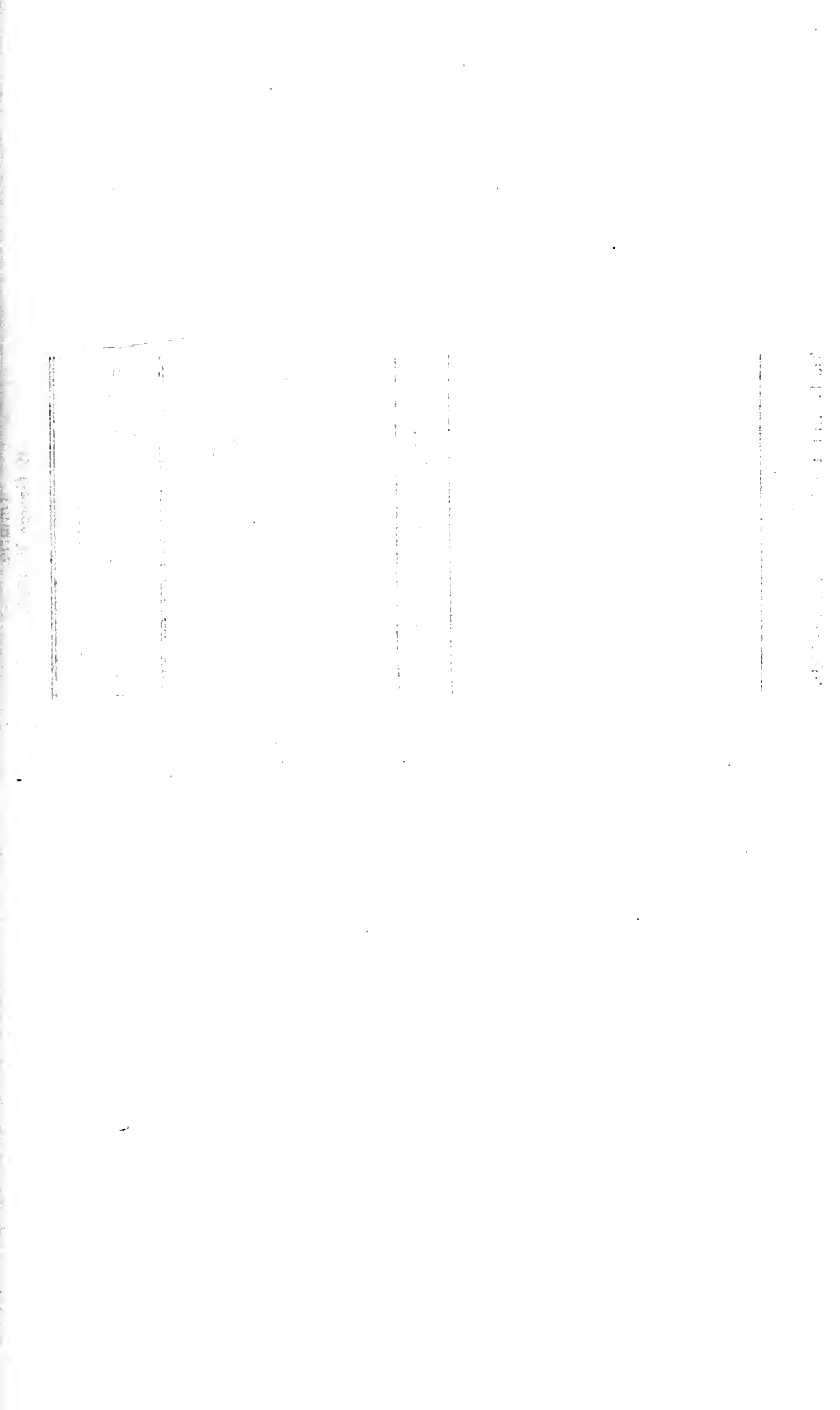
**10.** Every person who contravenes any of the provisions of this Act shall be liable to a penalty not exceeding \$50 for the first offence, and not less than \$50 and not more than \$100 or to imprisonment for a period not exceeding six months or to both such penalty and imprisonment for the second or any subsequent offence.

Recovery of penalties, Rev. Stat. c. 121.

**11.** The penalties imposed by this Act shall be recoverable under *The Summary Convictions Act*, except that an information may be laid within twelve months after the offence was committed.

Commencement of Act.

**12.** This Act shall come into force on the 1st day of July, 1929.



Ontario,  
19 George V, 1929.

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BILL.

An Act respecting the Transportation of  
Fowl on the Highways.

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*1st Reading*

March 14th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MARTIN (Norfolk)

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TORONTO:  
Printed by  
The Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Transportation of Fowl on the Highways.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Transportation of Fowl Act, 1929.* Short title.

**2.** In this Act "Fowl" shall mean live fowl and dressed or undressed poultry. Interpretation.

**3.**—(1) Subject to subsection 2 this Act shall not apply to Non-application of Act.

- (a) a *bona fide* producer or breeder of fowl, or
- (b) a *bona fide* purchaser for his own use or a donee of twelve fowl or less;
- (c) a person licensed under *The Public Commercial Vehicle Act.*


(2) In a prosecution for a contravention of this Act the onus shall be on the person charged to prove that he comes within the provisions of clauses *a* or *b*.

**4.** No person shall carry or transport fowl on any highway in Ontario unless he holds a permit for that purpose granted under the hand of the warden and countersigned by the clerk under the corporate seal of the county in which he resides or carries on business, and where he does not reside or carry on business in any county in Ontario unless he holds such a permit granted by the ward of *that* county in Ontario nearest to his *place of residence or business.* Permit required for transportation of fowl.

**5.**—(1) The warden on behalf of the county may grant such permits without the passing of any by-law for that purpose by the council and may revoke any permit granted and shall Council or Police Commissioners to issue permits.

have the same discretion as to the granting or refusing to grant or the revoking of permits as the council has with reference to licenses under *The Municipal Act*.

Rev. Stat.  
c. 233.

Fee. (2) The fee for the permit shall be \$1 and shall belong to the county. 

Contents of  
permit.

**6.** The permit shall contain the name of the person to whom it is granted, the address of his residence or place of business, and set out that the holder is authorized to transport fowl on the highways in Ontario and shall remain in force for the calendar year in which it is issued.

Record by  
clerk.

**7.** The clerk of the *council* shall keep a record of all permits issued which shall be open to inspection by any constable or peace officer.



Permit and  
book for  
entry as to  
fowl to be  
carried.

**8.** The holder of a permit shall carry with him at all times when he is transporting fowl his permit and a book in which he shall enter at the time he receives them the number and kind of fowl and the name and address of the person from whom he received them, and to whom he is to deliver them, and in case of a purchase the price paid and shall produce the permit and the book when required by a constable or peace officer.

Inspection of  
premises of  
permit  
holder.

**9.** Any constable or peace officer may inspect the premises of the holder of a permit and any vehicle in his possession and no person shall obstruct or interfere with such constable or peace officer when making such inspection.

Right of  
constable to  
stop person  
on highway  
for purposes  
of Act.

 **10.** Any constable or peace officer may order any person on the highway to stop for the purpose of ascertaining, by search if he thinks it necessary, whether such person is carrying or transporting fowl, and, if he is, of requiring him to produce his permit, and, if he has not a permit, to give his name and address and the name and address of the person from whom the fowl were obtained; and if such person fails to stop when ordered or refuses to give the information required or obstructs or interferes with such constable or peace officer in the performance of his duty under this section he shall be guilty of a contravention of this Act. 

Penalties.

**11.** Every person who contravenes any of the provisions of this Act shall be liable to a penalty not exceeding \$50 for the first offence, and not less than \$50 and not more than \$100 or to imprisonment for a period not exceeding six months or to both such penalty and imprisonment for the second or any subsequent offence.



**12.** The penalties imposed by this Act shall be recoverable under *The Summary Convictions Act*, except that an information may be laid within twelve months after the offence was committed. Recovery of penalties, Rev. Stat. c. 121.

**13.** Section 425 of *The Municipal Act* is repealed. Rev. Stat., c. 233, s. 425, repealed.

**14.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation. Commencement of Act.

Ontario,  
19 George V, 1929.

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BILL.

An Act respecting the Transportation of  
Fowl on the Highways.

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*1st Reading*

March 14th, 1929.

*2nd Reading*

March 19th, 1929.

*3rd Reading*

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MR. MARRIN (Norfolk)

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*(Reprinted with amendments for Consideration by Committee of the Whole.)*

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Transportation of Fowl on the Highways.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Transportation of Fowl Act, 1929.* Short title.

**2.** In this Act "Fowl" shall mean live fowl and dressed or undressed poultry. Interpretation.

**3.—(1)** Subject to subsection 2 this Act shall not apply to Non-application of Act.

(a) a *bona fide* producer or breeder of fowl, or

(b) a *bona fide* purchaser for his own use or a donee of twelve fowl or less;

(c) a person licensed under *The Public Commercial Vehicle Act.* Rev. Stat. c. 253.

(2) In a prosecution for a contravention of this Act the onus shall be on the person charged to prove that he comes within the provisions of clauses *a* or *b*. Onus of proof.

**4.** No person shall carry or transport fowl on any highway in Ontario unless he holds a permit for that purpose granted under the hand of the warden and countersigned by the clerk under the corporate seal of the county in which he resides or carries on business, and where he does not reside or carry on business in any county in Ontario unless he holds such a permit granted by the warden of that county in Ontario nearest to his place of residence or business. Permit required for transportation of fowl.

**5.—(1)** The warden on behalf of the county may grant such permits without the passing of any by-law for that purpose by the council and may revoke any permit granted and shall Warden to issue permits.

- have the same discretion as to the granting or refusing to grant or the revoking of permits as the council has with reference to licenses under *The Municipal Act*.
- Rev. Stat. c. 233.
- Fee. (2) The fee for the permit shall be \$1 and shall belong to the county.
- Contents of permit. **6.** The permit shall contain the name of the person to whom it is granted, the address of his residence or place of business, and set out that the holder is authorized to transport fowl on the highways in Ontario and shall remain in force for the calendar year in which it is issued.
- Record by clerk. **7.** The clerk of the council shall keep a record of all permits issued which shall be open to inspection by any constable or peace officer.
- Permit and book for entry as to fowl to be carried. **8.** The holder of a permit shall carry with him at all times when he is transporting fowl his permit and a book in which he shall enter at the time he receives them the number and kind of fowl and the name and address of the person from whom he received them, and to whom he is to deliver them, and in case of a purchase the price paid and shall produce the permit and the book when required by a constable or peace officer.
- Inspection of premises of permit holder. **9.** Any constable or peace officer may inspect the premises of the holder of a permit and any vehicle in his possession and no person shall obstruct or interfere with such constable or peace officer when making such inspection.
- Right of constable to stop person on highway for purposes of Act. **10.** Any constable or peace officer may order any person on the highway to stop for the purpose of ascertaining, by search if he thinks it necessary, whether such person is carrying or transporting fowl, and, if he is, of requiring him to produce his permit, and, if he has not a permit, to give his name and address and the name and address of the person from whom the fowl were obtained; and if such person fails to stop when ordered or refuses to give the information required or obstructs or interferes with such constable or peace officer in the performance of his duty under this section he shall be guilty of a contravention of this Act.
- Penalties. **11.** Every person who contravenes any of the provisions of this Act shall be liable to a penalty not exceeding \$50 for the first offence, and not less than \$50 and not more than \$100 or to imprisonment for a period not exceeding six months or to both such penalty and imprisonment for the second or any subsequent offence.

**12.** The penalties imposed by this Act shall be recoverable under *The Summary Convictions Act*, except that an information may be laid within twelve months after the offence was committed.

Recovery of penalties,  
Rev. Stat.  
c. 121.

**13.** Section 425 of *The Municipal Act* is repealed.

Rev. Stat.,  
c. 233, s. 425,  
repealed.

**14.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.

Commence-  
ment of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act respecting the Transportation of  
Fowl on the Highways.

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*1st Reading*

March 14th, 1929.

*2nd Reading*

March 19th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. MARTIN (Norfolk)

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to consolidate and amend The Tile Drainage Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Tile Drainage Act, 1929*. Short title.

2.—(1) The council of a town, village or township may pass by-laws (Form 1) for borrowing for the purposes hereinafter mentioned, in sums of not less than \$2,000, and not exceeding \$200,000 in the whole, such amount as they may deem expedient, and for issuing therefor debentures of the municipality (Form 2), in sums of \$100 each, payable within ten or twenty years from the date of such debentures which shall bear date in the year in which the money is borrowed from the municipality as is hereinafter provided, and bearing interest at the rate of five per centum per annum, and it shall not be necessary to obtain the assent of the electors to any such by-law before the passing thereof. Borrowing powers of councils.

(2) The amount of the indebtedness of the municipality in respect of money so borrowed and remaining unpaid, including the amount provided for in any by-law being passed, shall not at any time exceed \$200,000; nor shall a by-law be passed except at a meeting of the council especially called for the purpose of considering it, and held not less than four weeks after a notice (Form 3) of the day appointed for the meeting has been published in such newspaper as the council by resolution may direct. R.S.O. 1927, c. 65, s. 1. Proviso.

3.—(1) After the passing of the by-law a copy of it shall be published in such public newspaper, published in the municipality or in the county town or in an adjoining or neighbouring municipality, as the council may by resolution designate, and in at least one number of such newspaper each week for three successive weeks. Publication of by-law.

(2) To each copy of the by-law shall be appended a notice (Form 4). Notice to be appended.

When  
by-law  
to be valid.

(3) If notice of an application to quash the by-law or any part thereof is not given within twenty days after the last publication under this section, or, if such notice is given, and the application is not made within one month after such last publication, the by-law shall not be questioned in any court and shall be valid and binding according to the terms thereof. R.S.O. 1927, c. 65, s. 2.

Application  
of proceeds.

4. The debentures may be issued and sold by the municipality from time to time, for the purpose only of lending the proceeds thereof for tile, stone or timber drainage, as hereinafter provided, as money is required for the purpose. R.S.O. 1927, c. 65, s. 3.

Form of  
debentures,  
and  
coupons.

5. The debentures shall be made payable to the Treasurer of Ontario and shall have coupons attached thereto which shall be for equal annual amounts of principal and interest. R.S.O. 1927, c. 65, s. 4.

Application  
for  
disposal of  
debentures.

6.—(1) The council, after the expiration of one month from the last publication under section 3, may deposit with the Treasurer of Ontario a copy of the by-law, with affidavits of the head and clerk of the municipality (Forms 5 and 6), and may at any time thereafter apply for the purchase by the Province of the debentures authorized thereby.

Form of  
application.

(2) The application shall be sealed with the seal of the municipality and signed by the head thereof, and shall specify the names of the persons to whom the money is to be lent. R.S.O. 1927, c. 65, s. 5.

Report by  
Provincial  
Treasurer.

7. The Treasurer of Ontario shall investigate and report to the Lieutenant-Governor in Council as to the propriety of all proposed investments in the order in which the applications therefor are received. R.S.O. 1927, c. 65, s. 6.

Application  
by owner  
for loan.

8.—(1) A person assessed as owner, and being the actual owner of land in the municipality, desiring to borrow money for the purpose of tile, stone or timber drainage may make application (Form 7), to the council.

Statutory  
declaration  
of applicant.

(2) The application shall not be acted upon unless it is accompanied by a declaration of the applicant stating that he is the actual owner of the land mentioned in the application, and that the same is free from encumbrance, or if the land or any part of it is mortgaged or otherwise encumbered, stating the name and address of the mortgagee or encumbrancer, and, where it has been assigned, the name of the assignee of the mortgage or encumbrance with his address.



(3) Where it appears that there is a mortgage or encumbrance upon the land or any part of it the application shall not be disposed of until two weeks after the mortgagee, encumbrancer or assignee has been notified of the application by registered letter, sent to him by the clerk to his last known address. R.S.O. 1927, c. 65, s. 7.

Notice to encumbrancer.

9. If the application is granted the council may issue debentures for such sum within the amount authorized by this Act and by the by-law of the municipality, as they may deem proper, but not exceeding the sum applied for, nor exceeding seventy-five per centum of the estimated cost of such drainage. R.S.O. 1927, c. 65, s. 8.

Issuing debentures.

10. The Lieutenant-Governor in Council may authorize the investment of any surplus of the Consolidated Revenue Fund not exceeding in the whole at any time \$3,000,000 in the purchase of debentures issued under such by-laws in respect of which the Treasurer of Ontario shall have certified to the propriety of the investment. R.S.O. 1927, c. 65, s. 9.  
*Amended.*

Purchase of debentures out of Consolidated Revenue Fund.

11. After such investment, the debentures shall not be questioned in any court and shall be valid and binding according to the terms thereof. R.S.O. 1927, c. 65, s. 10.

Debentures declared unquestionable.

12.—(1) The council shall lend the money so borrowed only for the purpose of tile, stone or timber drainage and for a term of ten or twenty years, in such sums, subject to the provisions of section 13, as the council may deem proper, to persons entitled to borrow. R.S.O. 1927, c. 65, s. 11 (1).  
*Amended.*

Application of proceeds of loans.

(2) No part of the money so borrowed shall be lent to any member of the council, but a person having so borrowed from a municipality shall not by reason thereof be disqualified from being afterwards elected a member of the council. R.S.O. 1927, c. 65, s. 11 (2).

Who may borrow.

13. The amount loaned to any one person shall not exceed \$2,000 for each 100 acres or fraction thereof, nor seventy-five per centum of the total cost of the work. 1928, c. 21, s. 2.

Limit of loan to individual.

14. The council shall consider the applications in the order in which they are made, and shall lend the money in the same order to the persons whose applications shall have been approved. R.S.O. 1927, c. 65, s. 13.

Order in which loans are to be granted.

15. A council borrowing money under this Act shall employ a competent inspector of drainage, the cost of whose

Appointment of Inspector.

services and whose expenses shall be apportioned rateably against the works carried on under his inspection, and shall be paid by the council out of the money borrowed. R.S.O. 1927, c. 65, s. 14.

Inspector's  
report.

**16.**—(1) On the completion of any drainage works under his charge the inspector shall report to the council the number of rods of drain constructed on each lot or parcel of land, the cost per rod, and such other particulars as may be required by the council.

Record.

(2) The report shall be entered in a book provided by the council, and the money shall not be advanced by the council until the report of the due completion of the work has been so made. R.S.O. 1927, c. 65, s. 15.

Collection  
of special  
rate.

**17.** The council shall impose by by-law (Form 8), and shall levy and collect for the term of ten or twenty years as the council may elect, over and above all other rates upon the land in respect of which the money is lent, a special equal annual rate sufficient to discharge the principal and interest of the money lent in ten or twenty years as the case shall be, and the rate shall be collected in the same manner as other special rates imposed under *The Municipal Act*. R.S.O. 1927, c. 65, s. 16.

Rev. Stat.,  
c. 233.

Discharge of  
indebted-  
ness by  
owner.

**18.** The owner of land, in respect of which money has been borrowed, may at any time obtain the discharge of the indebtedness by paying to the treasurer of the municipality the amount borrowed, with interest thereon at the rate of five per centum per annum less any sum already paid on account of principal and interest; and upon the same being paid to the treasurer, he shall forthwith transmit it to the Treasurer of Ontario, who shall apply it towards payment of the debentures of the municipality. R.S.O. 1927, c. 65, s. 17.

Returns to  
Provincial  
Secretary by  
municipal  
council.

**19.** A council which has borrowed money shall, on or before the 15th day of January in each year, make a return to the Provincial Secretary, showing, for the year which ended on the 31st day of December next preceding, the amount expended in drainage, the number of rods of drain constructed, the names of the borrowers, the land upon which the money has been lent, the names of the persons whose applications have been refused and the reasons in each case for the refusal. R.S.O. 1927, c. 65, s. 18.

Repayment  
by municip-  
ality to  
Province.

**20.**—(1) The amount payable in each year for principal and interest shall be remitted by the Treasurer of the municipality to the Treasurer of Ontario within one month after the same became payable, together with interest at the rate of

seven per centum per annum during the time of any default in payment.

(2) In case of a continuance of such default the council, <sup>Consequence of default in payment.</sup> in the next ensuing year or as the case may require, shall assess and levy on the whole rateable property within its jurisdiction, in the same manner in which taxes are levied for the general purposes of the municipality, a sum over and above the other valid debts of the corporation falling due within the year sufficient to enable the treasurer to pay the amount in arrear, together with interest thereon at the rate of seven per centum per annum, from the time the same became payable until payment whether or not the same has been previously paid by or recovered from the persons or lands chargeable therewith.

(3) The amount so in arrear and the interest shall be the <sup>How arrears ranked as a charge.</sup> first charge upon all the funds of the municipality other than sinking funds, for whatever purpose or under whatever by-law they may have been raised.

(4) No treasurer or other officer shall, after such default, <sup>Duty of municipal treasurer after default.</sup> pay out of the funds of the municipality any sum except for the ordinary current disbursements, and salaries of clerks and other employees of the municipality or debts due to the Province until the amount so in arrear and the interest has been paid to the Treasurer of Ontario.

(5) If such municipal treasurer or other officer pays any <sup>Liability of municipal officers.</sup> sum contrary to the provisions of the next preceding subsection, in addition to any criminal liability which he may thereby incur, he shall be personally liable for every sum paid as for money had and received by him for the Crown.

(6) Any member of the council who wilfully or negligently <sup>Penalty for violation.</sup> permits any of the foregoing provisions to be violated shall also be personally and individually liable for the full amount so in arrear and the interest, to be recovered as for money had and received by him for the Crown.

(7) No assessment, levy or payment made under this section <sup>Liability of lands to municipality not affected.</sup> shall exonerate the persons or lands chargeable under the by-law from liability to the municipality. R.S.O. 1927, c. 65, s. 19.

**21.** The Lieutenant-Governor in Council may make regula- <sup>Regulations and forms.</sup> tions and prescribe forms for the carrying out of the provisions of this Act; and, subject thereto, the forms in the schedule hereto shall be used. R.S.O. 1927, c. 65, s. 20.

**22.** This Act shall come into force on the day upon which <sup>Commencement of Act.</sup> it receives the Royal Assent.

## SCHEDULE.

## FORM 1.

(Section 2.)

## FORM OF BY-LAW.

By-law No.

A by-law to raise \$ \_\_\_\_\_ to aid in the construction of tile, stone or timber drains.

The Council of the Municipality of \_\_\_\_\_, pursuant to the provisions of *The Tile Drainage Act*, enacts as follows:

1. That the Reeve (*or* Mayor) may from time to time, subject to the provisions of this by-law, borrow on the credit of the corporation of the said Municipality such sum not exceeding in the whole \$ \_\_\_\_\_, as may be determined by the Council, and may in manner hereinafter provided, issue debentures of the said corporation in such sums as the Council may deem proper for the amount so borrowed, with coupons attached as provided in section 5 of the said Act.

2. That when the Council shall be of opinion that the application of any person to borrow money for the purpose of constructing a tile, stone or timber drain should be granted in whole or in part, the Council may, by resolution, direct the Reeve (*or* Mayor) to issue debentures as aforesaid, and to borrow a sum not exceeding the amount applied for, and may lend the same to the applicant on the completion of the drainage works.

3. A special annual rate shall be imposed, levied and collected over and above all other rates upon the land in respect of which the said money shall be borrowed, sufficient for the payment of the principal and interest as provided by the Act.

Passed the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .  
 A. B.,  
 Reeve (*or* Mayor).  
 C. D.,  
 Clerk.

(Corporate seal.)

R.S.O. 1927, c. 65, Sched. Form 1. *Amended.*

## FORM 2.

(Section 2.)

## FORM OF TILE DRAINAGE DEBENTURE.

\$ . . . . . No.  
 Drainage Debenture of the \_\_\_\_\_ of \_\_\_\_\_  
 The Corporation of the \_\_\_\_\_ of \_\_\_\_\_, in the County of \_\_\_\_\_ hereby promises to pay to the Treasurer of Ontario or order at the Bank of \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_, the sum of \$ . . . . . of lawful money of Canada, and interest thereon at five per centum in twenty equal annual instalments of \$ . . . . . each, the first of such instalments to be paid on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, pursuant to by-law No. \_\_\_\_\_ intituled "A by-law to raise \$ \_\_\_\_\_, to aid in the construction of tile, (*stone or timber drains.*)"

(Corporate seal.)

A. B.,  
 Reeve (*or* Mayor.)

G. H.,  
 Treasurer.

## FORM OF COUPON.

Coupon for twentieth Annual	
Instalment of	Drainage
Debenture No. 1, issued under	
By-law No. . . . .	of the
of	\$ . . . . payable at the
Bank of	in the
	of
19	on day of
A. B.,	G. H.,
Reeve (or Mayor).	Treasurer.

R.S.O. 1927, c. 65, Sched. Form 2. *Amended.*

## FORM 3.

(Section 2.)

## NOTICE OF MEETING TO CONSIDER BY-LAW.

Take notice that a by-law for raising \$ under the provisions of *The Tile Drainage Act*, will be taken into consideration by the Municipal Council of the of at the of , on the day of , 19 , at the hour of o'clock in the noon.

C. D.,  
Clerk.

R.S.O. 1927, c. 65, Sched. Form 3.

## FORM 4.

(Section 3.)

## NOTICE.

*Municipality of the of*

Take notice that the above is a true copy of a By-law passed by the Municipal Council of the of on the day of 19 , and all persons are required to take notice that any one who desires to apply to have such by-law or any part thereof quashed must serve notice of his application upon the Head or Clerk of this municipality within twenty days after the date of the last publication of this notice, and must make his application to the Supreme Court of Ontario within one month after the said date. This notice was first published on the day of , 19 , and the last publication will be on the day of 19 .

A. B.,  
Clerk.

R.S.O. 1927, c. 65, Sched. Form 4.

FORM 5.

(Section 6.)

AFFIDAVIT OF HEAD OF MUNICIPALITY.

County of \_\_\_\_\_ TO WIT: { I, \_\_\_\_\_ of the \_\_\_\_\_  
of \_\_\_\_\_ in the County of \_\_\_\_\_  
Reeve (or Mayor) of the \_\_\_\_\_ of \_\_\_\_\_ make  
oath and say:

I have not been served with any notice of intention to make application to quash a by-law passed on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, by the Municipal Council of the said \_\_\_\_\_ of \_\_\_\_\_ No. \_\_\_\_\_ intitled (*insert the title of by-law*), nor have I been served with any notice of intention to make application to quash any part of the by-law, nor with any notice to that or the like effect.

Sworn, etc

A. B.

R.S.O. 1927, c. 65, Sched. Form 5.

FORM 6.

(Section 6.)

AFFIDAVIT OF CLERK.

County of \_\_\_\_\_ TO WIT: { I, \_\_\_\_\_ of \_\_\_\_\_  
of \_\_\_\_\_ in the County of \_\_\_\_\_  
Clerk of the said \_\_\_\_\_ of \_\_\_\_\_ make  
oath and say:

1. On the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, the Municipal Council of the said \_\_\_\_\_ of \_\_\_\_\_ at a meeting specially called for that purpose passed a by-law for borrowing money to be lent for the construction of tile, stone or timber drains, being No. \_\_\_\_\_ and intitled (*insert title of by-law*), a copy of which certified by me is now shown to me marked "A."

2. Notice of the meeting was given by publication on (*insert here the dates of publication*) in the (*insert names of newspapers*), copies of which newspapers are shown to me and marked "B," "C," and "D."

3. A notice, a copy of which is now shown to me marked "E," was published on (*insert here the dates of publication*), in the (*insert name of newspaper*), being the newspaper in which the Council did by resolution direct the publication thereof, copies of which newspaper containing the said notice are now shown to me and marked "F," "G," and "H"

4. I have not been served with any notice of intention to make application to quash the said by-law, or any part thereof, nor with any notice to that or the like effect.

Sworn, etc.

C. D.

R.S.O. 1927, c. 65, Sched. Form 6.

FORM 7.

(Section 8.)

APPLICATION FOR LOAN.

To the Municipal Council of

I, *E. F.*, owner of (*if part state what part*) lot No. \_\_\_\_\_ in  
 Concession of the Township of \_\_\_\_\_ (*or as*  
*the case may be*) apply for a loan of \$ \_\_\_\_\_ to assist in  
 the construction of \_\_\_\_\_ rods of  
 drain, on the said land. The proposed depth of drain is  
 inches, the proposed size of tile is \_\_\_\_\_ inches (1).

*E. F.*

(1) *If the proposed drain is to be stone or timber for the words "size of tile" substitute the words "inside size of drain."*

R.S.O. 1927, c. 65, Sched. Form 7.

FORM 8.

(Section 17.)

BY-LAW IMPOSING A RATE.

*By-law imposing a Special Drainage rate upon Lot \_\_\_\_\_ in the*  
*Concession.*

Whereas *E. F.*, the owner of (*if part state what part*) Lot \_\_\_\_\_ in  
 the \_\_\_\_\_ Concession of the Township of \_\_\_\_\_ (*or as the case may*  
*be*), applied to the Municipal Council of the said Township under *The*  
*Tile Drainage Act*, for a loan for the purpose of draining the said land;  
 And whereas the said Council has, upon his said application, lent the  
 said *E. F.*, the sum of \$1,000 (*or as the case may be*), to be repaid with  
 interest by means of the rate hereinafter imposed:

Be it therefore enacted, by the said Municipal Council, that an annual  
 rate of \$80.20 per annum (*or as the case may require, namely \$8.02 for*  
*every \$100 lent*), is hereby imposed upon the said land for a period of  
 twenty years, such rate to be levied and collected at the same time and  
 manner as ordinary taxes are levied and collected.

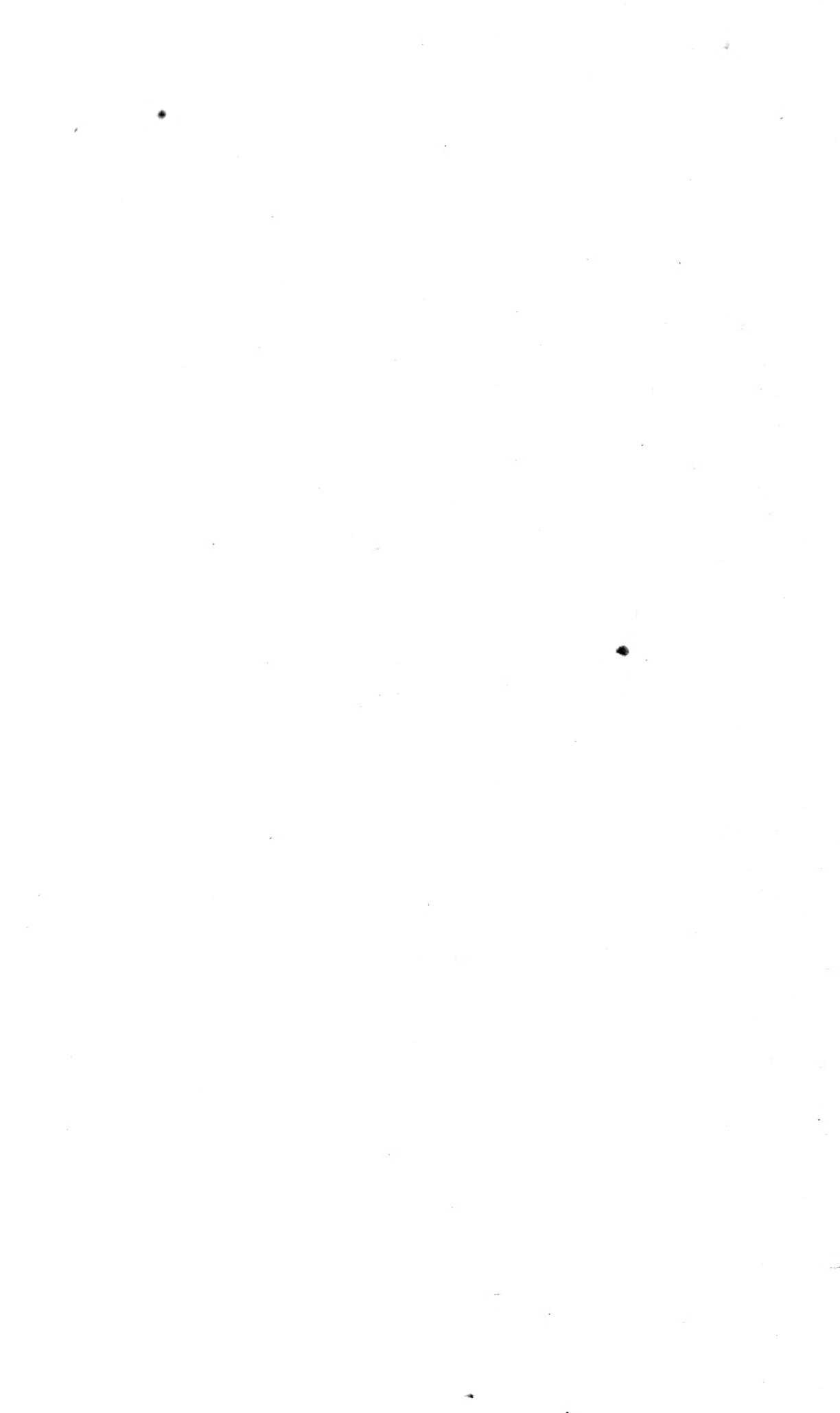
Passed this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

(Corporate  
 seal.)

*A. B.*,  
 Reeve (*or Mayor*).

*C. D.*,  
 Clerk.

R.S.O. 1927, c. 65, Sched. Form 8.







3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to consolidate and amend  
The Tile Drainage Act.

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*1st Reading*

March 15th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MONTEITH.

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TORONTO:  
Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to consolidate and amend The Tile Drainage Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Tile Drainage Act, 1929.* Short title.

2.—(1) The council of a town, village or township may pass by-laws (Form 1) for borrowing for the purposes hereinafter mentioned, in sums of not less than \$2,000, and not exceeding \$200,000 in the whole, such amount as they may deem expedient, and for issuing therefor debentures of the municipality (Form 2), payable within ten or twenty years from the date of such debentures which shall bear date in the year in which the money is borrowed from the municipality as is hereinafter provided, and bearing interest at the rate of five per centum per annum, and it shall not be necessary to obtain the assent of the electors to any such by-law before the passing thereof. Borrowing powers of councils.

(2) The amount of the indebtedness of the municipality in respect of money so borrowed and remaining unpaid, including the amount provided for in any by-law being passed, shall not at any time exceed \$200,000; nor shall a by-law be passed except at a meeting of the council especially called for the purpose of considering it, and held not less than four weeks after a notice (Form 3) of the day appointed for the meeting has been published in such newspaper as the council by resolution may direct. Proviso. R.S.O. 1927, c. 65, s. 1.

3.—(1) After the passing of the by-law a copy of it shall be published in such public newspaper, published in the municipality or in the county town or in an adjoining or neighbouring municipality, as the council may by resolution designate, and in at least one number of such newspaper each week for three successive weeks. Publication of by-law.

(2) To each copy of the by-law shall be appended a notice Notice to be appended. Form 4).

When  
by-law  
to be valid.

(3) If notice of an application to quash the by-law or any part thereof is not given within twenty days after the last publication under this section, or, if such notice is given, and the application is not made within one month after such last publication, the by-law shall not be questioned in any court and shall be valid and binding according to the terms thereof. R.S.O. 1927, c. 65, s. 2.

Application  
of proceeds.

4. The debentures may be issued and sold by the municipality from time to time, for the purpose only of lending the proceeds thereof for tile, stone or timber drainage, as hereinafter provided, as money is required for the purpose. R.S.O. 1927, c. 65, s. 3.

Form of  
debentures,  
and  
coupons.

5. The debentures shall be made payable to the Treasurer of Ontario and shall have coupons attached thereto which shall be for equal annual amounts of principal and interest. R.S.O. 1927, c. 65, s. 4.

Application  
for  
disposal of  
debentures.

6.—(1) The council, after the expiration of one month from the last publication under section 3, may deposit with the Treasurer of Ontario a copy of the by-law, with affidavits of the head and clerk of the municipality (Forms 5 and 6), and may at any time thereafter apply for the purchase by the Province of the debentures authorized thereby.

Form of  
application.

(2) The application shall be sealed with the seal of the municipality and signed by the head thereof, and shall specify the names of the persons to whom the money is to be lent. R.S.O. 1927, c. 65, s. 5.

Report by  
Provincial  
Treasurer.

7. The Treasurer of Ontario shall investigate and report to the Lieutenant-Governor in Council as to the propriety of all proposed investments in the order in which the applications therefor are received. R.S.O. 1927, c. 65, s. 6.

Application  
by owner  
for loan.

8.—(1) A person assessed as owner, and being the actual owner of land in the municipality, desiring to borrow money for the purpose of tile, stone or timber drainage may make application (Form 7), to the council.

Statutory  
declaration  
of applicant.

(2) The application shall not be acted upon unless it is accompanied by a declaration of the applicant stating that he is the actual owner of the land mentioned in the application, and that the same is free from encumbrance, or if the land or any part of it is mortgaged or otherwise encumbered, stating the name and address of the mortgagee or encumbrancer, and, where it has been assigned, the name of the assignee of the mortgage or encumbrance with his address.

(3) Where it appears that there is a mortgage or encumbrance upon the land or any part of it the application shall not be disposed of until two weeks after the mortgagee, encumbrancer or assignee has been notified of the application by registered letter, sent to him by the clerk to his last known address. R.S.O. 1927, c. 65, s. 7. Notice to encumbrancer.

9. If the application is granted the council may issue debentures for such sum within the amount authorized by this Act and by the by-law of the municipality, as they may deem proper, but not exceeding the sum applied for, nor exceeding seventy-five per centum of the estimated cost of such drainage. R.S.O. 1927, c. 65, s. 8. Issuing debentures.

10. The Lieutenant-Governor in Council may authorize the investment of any surplus of the Consolidated Revenue Fund not exceeding in the whole at any time \$3,000,000 in the purchase of debentures issued under such by-laws in respect of which the Treasurer of Ontario shall have certified to the propriety of the investment. R.S.O. 1927, c. 65, s. 9. *Amended.* Purchase of debentures out of Consolidated Revenue Fund.

11. After such investment, the debentures shall not be questioned in any court and shall be valid and binding according to the terms thereof. R.S.O. 1927, c. 65, s. 10. Debentures declared unquestionable.

12.—(1) The council shall lend the money so borrowed only for the purpose of tile, stone or timber drainage and for a term of ten or twenty years, in sums of \$100 or multiples thereof, subject to the provisions of section 13, as the council may deem proper, to persons entitled to borrow. R.S.O. 1927, c. 65, s. 11 (1). *Amended.* Application of proceeds of loans.

(2) No part of the money so borrowed shall be lent to any member of the council, but a person having so borrowed from a municipality shall not by reason thereof be disqualified from being afterwards elected a member of the council. R.S.O. 1927, c. 65, s. 11 (2). Who may borrow.

13. The amount loaned to any one person shall not exceed \$2,000 for each 100 acres or fraction thereof, nor seventy-five per centum of the total cost of the work. 1928, c. 21, s. 2. Limit of loan to individual.

14. The council shall consider the applications in the order in which they are made, and shall lend the money in the same order to the persons whose applications shall have been approved. R.S.O. 1927, c. 65, s. 13. Order in which loans are to be granted.

15. A council borrowing money under this Act shall employ a competent inspector of drainage, the cost of whose Appointment of Inspector.

services and whose expenses shall be apportioned rateably against the works carried on under his inspection, and shall be paid by the council out of the money borrowed. R.S.O. 1927, c. 65, s. 14.

Inspector's report.

**16.**—(1) On the completion of any drainage works under his charge the inspector shall report to the council the number of rods of drain constructed on each lot or parcel of land, the cost per rod, and such other particulars as may be required by the council.

Record.

(2) The report shall be entered in a book provided by the council, and the money shall not be advanced by the council until the report of the due completion of the work has been so made. R.S.O. 1927, c. 65, s. 15.

Collection of special rate.

**17.** The council shall impose by by-law (Form 8), and shall levy and collect for the term of ten or twenty years as the council may elect, over and above all other rates upon the land in respect of which the money is lent, a special equal annual rate sufficient to discharge the principal and interest of the money lent in ten or twenty years as the case shall be, and the rate shall be collected in the same manner as other special rates imposed under *The Municipal Act*. R.S.O. 1927, c. 65, s. 16.

Rev. Stat., c. 233.

Discharge of indebtedness by owner.

**18.** The owner of land, in respect of which money has been borrowed, may at any time obtain the discharge of the indebtedness by paying to the treasurer of the municipality the amount borrowed, with interest thereon at the rate of five per centum per annum less any sum already paid on account of principal and interest; and upon the same being paid to the treasurer, he shall forthwith transmit it to the Treasurer of Ontario, who shall apply it towards payment of the debentures of the municipality. R.S.O. 1927, c. 65, s. 17.

Returns to Provincial Secretary by municipal council.

**19.** A council which has borrowed money shall, on or before the 15th day of January in each year, make a return to the Provincial Secretary, showing, for the year which ended on the 31st day of December next preceding, the amount expended in drainage, the number of rods of drain constructed, the names of the borrowers, the land upon which the money has been lent, the names of the persons whose applications have been refused and the reasons in each case for the refusal. R.S.O. 1927, c. 65, s. 18.

Repayment by municipality to Province.

**20.**—(1) The amount payable in each year for principal and interest shall be remitted by the Treasurer of the municipality to the Treasurer of Ontario within one month after the same became payable, together with interest at the rate of

seven per centum per annum during the time of any default in payment.

(2) In case of a continuance of such default the council, <sup>Consequence of default in payment.</sup> in the next ensuing year or as the case may require, shall assess and levy on the whole rateable property within its jurisdiction, in the same manner in which taxes are levied for the general purposes of the municipality, a sum over and above the other valid debts of the corporation falling due within the year sufficient to enable the treasurer to pay the amount in arrear, together with interest thereon at the rate of seven per centum per annum, from the time the same became payable until payment whether or not the same has been previously paid by or recovered from the persons or lands chargeable therewith.

(3) The amount so in arrear and the interest shall be the <sup>How arrears ranked as a charge.</sup> first charge upon all the funds of the municipality other than sinking funds, for whatever purpose or under whatever by-law they may have been raised.

(4) No treasurer or other officer shall, after such default, <sup>Duty of municipal treasurer after default.</sup> pay out of the funds of the municipality any sum except for the ordinary current disbursements, and salaries of clerks and other employees of the municipality or debts due to the Province until the amount so in arrear and the interest has been paid to the Treasurer of Ontario.

(5) If such municipal treasurer or other officer pays any <sup>Liability of municipal officers.</sup> sum contrary to the provisions of the next preceding subsection, in addition to any criminal liability which he may thereby incur, he shall be personally liable for every sum paid as for money had and received by him for the Crown.

(6) Any member of the council who wilfully or negligently permits any of the foregoing provisions to be violated shall also be personally and individually liable for the full amount so in arrear and the interest, to be recovered as for money had and received by him for the Crown. <sup>Penalty for violation.</sup>

(7) No assessment, levy or payment made under this section shall exonerate the persons or lands chargeable under the <sup>Liability of lands to municipality not affected.</sup> by-law from liability to the municipality. R.S.O. 1927, c. 65, s. 19.

**21.** The Lieutenant-Governor in Council may make regulations and prescribe forms for the carrying out of the provisions of this Act; and, subject thereto, the forms in the schedule hereto shall be used. R.S.O. 1927, c. 65, s. 20. <sup>Regulations and forms.</sup>

Rev. Stat.,  
c. 65, and  
1828, c. 21,  
s. 2,  
repealed.

**22.** *The Tile Drainage Act*, being chapter 65 of the Revised Statutes of Ontario, 1927, and section 2 of *The Statute Law Amendment Act, 1928*, are repealed.

Commence-  
ment of Act.

**23.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE.

## FORM 1.

(Section 2.)

## FORM OF BY-LAW.

By-law No.

A by-law to raise \$ \_\_\_\_\_ to aid in the construction of tile,  
stone or timber drains.

The Council of the Municipality of \_\_\_\_\_, pursuant to the  
provisions of *The Tile Drainage Act*, enacts as follows:

1. That the Reeve (*or* Mayor) may from time to time, subject to the provisions of this by-law, borrow on the credit of the corporation of the said Municipality such sum not exceeding in the whole \$ \_\_\_\_\_, as may be determined by the Council, and may in manner hereinafter provided, issue debentures of the said corporation in such sums as the Council may deem proper for the amount so borrowed, with coupons attached as provided in section 5 of the said Act.

2. That when the Council shall be of opinion that the application of any person to borrow money for the purpose of constructing a tile, stone or timber drain should be granted in whole or in part, the Council may, by resolution, direct the Reeve (*or* Mayor) to issue debentures as aforesaid, and to borrow a sum not exceeding the amount applied for, and may lend the same to the applicant on the completion of the drainage works.

3. A special annual rate shall be imposed, levied and collected over and above all other rates upon the land in respect of which the said money shall be borrowed, sufficient for the payment of the principal and interest as provided by the Act.

Passed the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
A. B.,  
Reeve (*or* Mayor).  
C. D.,  
Clerk.

(Corporate seal.)

R.S.O. 1927, c. 65, Sched. Form 1. *Amended.*

## FORM 2.

(Section 2.)

## FORM OF TILE DRAINAGE DEBENTURE.

\$..... No.  
Drainage Debenture of the \_\_\_\_\_ of \_\_\_\_\_  
The Corporation of the \_\_\_\_\_ of \_\_\_\_\_, in the County of \_\_\_\_\_  
hereby promises to pay to the Treasurer  
of Ontario or order at the Bank of \_\_\_\_\_ in the  
of \_\_\_\_\_, the sum of \$..... of lawful money of Canada, and interest  
thereon at five per centum in twenty equal annual instalments of \$.....  
each, the first of such instalments to be paid on the  
day of \_\_\_\_\_, 19 \_\_\_\_\_, pursuant to by-law No.  
intituled "A by-law to raise \$ \_\_\_\_\_, to aid in the construc-  
tion of tile, (*stone or timber drains.*)"  
(Corporate seal.)  
A. B.,  
Reeve (*or* Mayor).  
G. H.,  
Treasurer.

## FORM OF COUPON.

Coupon for twentieth Annual	
Instalment of	Drainage
Debenture No. 1, issued under	
By-law No. _____ of the	
of _____ \$.... payable at the	
Bank of _____ in the _____ of	
19 _____ on _____ day of	
A. B.,	G. H.,
Reeve (or Mayor).	Treasurer.

R.S.O. 1927, c. 65, Sched. Form 2. *Amended*

*Note.*—The coupon should be for \$8.03 for every \$100 loaned.

## FORM 3.

(Section 2.)

## NOTICE OF MEETING TO CONSIDER BY-LAW.

Take notice that a by-law for raising \$ \_\_\_\_\_ under the provisions of *The Tile Drainage Act*, will be taken into consideration by the Municipal Council of the \_\_\_\_\_ of \_\_\_\_\_ at the \_\_\_\_\_ of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon.

C. D.,  
Clerk.

R.S.O. 1927, c. 65, Sched. Form 3.

## FORM 4.

(Section 3.)

## NOTICE.

*Municipality of the \_\_\_\_\_ of \_\_\_\_\_*

Take notice that the above is a true copy of a By-law passed by the Municipal Council of the \_\_\_\_\_ of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, and all persons are required to take notice that any one who desires to apply to have such by-law or any part thereof quashed must serve notice of his application upon the Head or Clerk of this municipality within twenty days after the date of the last publication of this notice, and must make his application to the Supreme Court of Ontario within one month after the said date. This notice was first published on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, and the last publication will be on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

A. B.,  
Clerk.

R.S.O. 1927, c. 65, Sched. Form 4.

FORM 5.

(Section 6.)

AFFIDAVIT OF HEAD OF MUNICIPALITY.

County of TO WIT: { I, of in the County of of the  
 Reeve (or Mayor) of the of make  
 oath and say:

I have not been served with any notice of intention to make application to quash a by-law passed on the day of 19 , by the Municipal Council of the said of No. intituled (*insert the title of by-law*), nor have I been served with any notice of intention to make application to quash any part of the by-law, nor with any notice to that or the like effect.

Sworn, etc.

A. B.

R.S.O. 1927, c. 65, Sched. Form 5.

FORM 6.

(Section 6.)

AFFIDAVIT OF CLERK.

County of TO WIT: { I, of in the County of of the  
 Clerk of the said of make  
 oath and say:

1. On the day of 19 , the Municipal Council of the said of at a meeting specially called for that purpose passed a by-law for borrowing money to be lent for the construction of tile, stone or timber drains, being No. and intituled (*insert title of by-law*), a copy of which certified by me is now shown to me marked "A."

2. Notice of the meeting was given by publication on (*insert here the dates of publication*) in the (*insert names of newspapers*), copies of which newspapers are shown to me and marked "B," "C," and "D."

3. A notice, a copy of which is now shown to me marked "E," was published on (*insert here the dates of publication*), in the (*insert name of newspaper*), being the newspaper in which the Council did by resolution direct the publication thereof, copies of which newspaper containing the said notice are now shown to me and marked "F," "G," and "H"

4. I have not been served with any notice of intention to make application to quash the said by-law, or any part thereof, nor with any notice to that or the like effect.

Sworn, etc.

C. D.

R.S.O. 1927, c. 65, Sched. Form 6.

FORM 7.

(Section 8.)

APPLICATION FOR LOAN.

To the Municipal Council of

I, E. F., owner of (if part state what part) lot No. \_\_\_\_\_ in  
Concession of the Township of \_\_\_\_\_ (or as  
the case may be) apply for a loan of \$ \_\_\_\_\_ to assist in  
the construction of \_\_\_\_\_ rods of  
drain, on the said land. The proposed depth of drain is  
inches, the proposed size of tile is \_\_\_\_\_ inches (1).  
E. F.

(1) If the proposed drain is to be stone or timber for the words "size of  
tile" substitute the words "inside size of drain."

R.S.O. 1927, c. 65, Sched. Form 7.

FORM 8.

(Section 17.)

BY-LAW IMPOSING A RATE.

By-law imposing a Special Drainage rate upon Lot \_\_\_\_\_ in the  
Concession.

Whereas E. F., the owner of (if part state what part) Lot \_\_\_\_\_ in  
the \_\_\_\_\_ Concession of the Township of \_\_\_\_\_ (or as the case may  
be), applied to the Municipal Council of the said Township under The  
Tile Drainage Act, for a loan for the purpose of draining the said land;  
And whereas the said Council has, upon his said application, lent the  
said E. F., the sum of \$1,000 (or as the case may be), to be repaid with  
interest by means of the rate hereinafter imposed:

Be it therefore enacted, by the said Municipal Council, that an annual  
rate of \$80.30 per annum (or as the case may require, namely \$8.03 for  
every \$100 lent), is hereby imposed upon the said land for a period of  
twenty years, such rate to be levied and collected at the same time and  
manner as ordinary taxes are levied and collected.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.  
(Corporate seal.)

A. B.,  
Reeve (or Mayor).  
C. D.,  
Clerk.

R.S.O. 1927, c. 65, Sched. Form 8.



3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to consolidate and amend  
The Tile Drainage Act.

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*1st Reading*

March 15th, 1929.

*2nd Reading*

March 21st, 1929.

*3rd Reading*

March 26th, 1929.

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MR. MONTEITH.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## The Power Commission and Companies Transfer Act, 1929.

**W**HEREAS by *The Power Commission and Companies Transfer Act, 1924*, The Electrical Development Company of Ontario Limited, The Hydro-Electric Power Commission of Ontario (therein and hereinafter called "the Commission"), National Trust Company Limited (hereinafter called "the Trustee"), the Toronto Power Company Limited and His Majesty the King, represented by the Lieutenant-Governor of the Province of Ontario acting by the Honourable G. Howard Ferguson, Prime Minister of the said province, were authorized and empowered to execute the agreement set out in the schedule to the said Act, hereinafter referred to as the agreement of the 25th of March, 1924, and it was enacted that upon the execution and delivery of the said agreement the same should be legal, valid and binding upon the parties thereto and upon the *cestuis que trustent* under certain indentures of mortgage recited in the said agreement, including the mortgage dated the 1st of March, 1903, in the same manner and to the same extent as if the terms of the said agreement had been set out and enacted in the body of the said Act, and that thereupon all the properties, rights, assets and franchises of The Electrical Development Company of Ontario Limited should be vested in the Commission but subject to the terms, covenants, agreements, provisos and conditions referred to or set out in the said agreement and subject to the said mortgage of the 1st day of March, 1903, and to the bonds secured thereby and to all the rights by the said mortgage and the said bonds reserved and subject to the due observance, fulfilment and performance by the Commission of all the covenants, agreements, provisos and conditions in the said indenture to be kept, observed and performed by the said The Electrical Development Company of Ontario Limited; and whereas doubts have arisen as to the right of the Commission to require the Trustee under the said mortgage to grant releases of properties and as to the disposition of the considerations received on the sale or other disposition of properties comprised in the mortgaged premises;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Power Commission and Companies Transfer Act, 1929.*

Conditions of release of certain properties from trust mortgage.

**2.** In addition to all other powers possessed by it, the Trustee under the said mortgage of the 1st of March, 1903, has since the date of the said agreement of the 25th of March, 1924, and now has, and shall have while any of the bonds secured by the said mortgage remain outstanding and unpaid, power to concur with the Commission in the disposition of any property, real or personal, comprised in the mortgaged premises, and the Trustee shall be entitled, upon the request of the Commission and upon receipt by the Trustee of the consideration to be received on any such sale or other disposition, to release any property from the said mortgage which shall be sold or disposed of for a fair consideration by the Commission, including property expropriated or which may be sold in anticipation of expropriation or after the commencement of expropriation proceedings, but prior to the compensation therefor being fixed pursuant to the authority under which such expropriation is being or is about to be carried out, and thereafter the said consideration shall be paid or transferred by the Trustee to the Commission upon one of the following conditions being complied with:

- (a) Other property acquired or constructed by the Commission since the 25th day of March, 1924, equal in value to the property released, consisting of freehold or leasehold lands or of buildings, improvements, works, plant, machinery or apparatus upon or to be used in connection with property forming part of the mortgaged premises, is substituted for the property released; and which property so substituted may include the whole or any part of the property received as the consideration or part consideration for the property released; or,
- (b) The amount of such consideration or the part thereof so paid to the Commission is received by the Commission for the purpose of making expenditures or for the purpose of recouping the Commission for expenditures made by it on capital account since the 25th day of March, 1924, on buildings, improvements works, plant, machinery or apparatus upon or to be used in connection with property forming part of the mortgaged premises and which is under or will be brought under the mortgage.



3. If within one year from the receipt of such consideration by the Trustee neither of the conditions mentioned in the last preceding paragraph hereof shall have been complied with, then the consideration if and to the extent consisting of cash shall be added to the sinking fund and applied with the next instalment of sinking fund moneys and as an addition thereto in the manner in the said mortgage provided for the application of sinking fund moneys, and if and to the extent consisting of property other than cash shall be held by the Trustee as part of the mortgaged premises.

Non-compliance with conditions.

4. The substitution of property or the bringing of property under the mortgage pursuant to the foregoing provisions hereof shall be effected by the Commission delivering to the Trustee a certificate under its corporate seal, executed by the chairman and secretary, containing a description of the property to be substituted or brought under the mortgage, whereupon, or in the case of properties to be erected or acquired, then upon the same coming into being or being so acquired, such property so described shall be and become subject to a first mortgage in favour of the Trustee as part of the mortgaged premises under the said mortgage and subject to the lien and charge thereof.

Mode of effecting substitution of property.

5. The trustee shall be entitled to rely upon a certificate under the corporate seal of the Commission, signed by the chairman and secretary or by the chief accountant, as to the value of any property released or substituted or brought under the mortgage and as to the amount of any expenditures made or proposed to be made and as to the consideration received for any property released, and in the case of moneys paid to the Commission for the purpose of making expenditures that such expenditures will be made.

Certification of value of substituted property.

6. The said agreement of the 25th of March, 1924, is hereby confirmed and declared to be legal, valid and binding upon the same parties and to the same extent as provided for in *The Power Commission and Companies Transfer Act, 1924*, and as if the foregoing provisions hereof were set out in the said mortgage of the 1st of March, 1903.

Confirmation of agreement of 25th March, 1924.

31st Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

The Power Commission and Companies  
Transfer Act, 1929.

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*1st Reading*

March 15th, 1929.

*2nd Reading*

*3rd Reading*

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MR. COOKE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## The Power Commission and Companies Transfer Act, 1929.

**W**HEREAS by *The Power Commission and Companies Preamble. Transfer Act, 1924*, The Electrical Development Company of Ontario Limited, The Hydro-Electric Power Commission of Ontario (therein and hereinafter called "the Commission"), National Trust Company Limited (hereinafter called "the Trustee"), the Toronto Power Company Limited and His Majesty the King, represented by the Lieutenant-Governor of the Province of Ontario acting by the Honourable G. Howard Ferguson, Prime Minister of the said province, were authorized and empowered to execute the agreement set out in the schedule to the said Act, hereinafter referred to as the agreement of the 25th of March, 1924, and it was enacted that upon the execution and delivery of the said agreement the same should be legal, valid and binding upon the parties thereto and upon the *cestuis que trustent* under certain indentures of mortgage recited in the said agreement, including the mortgage dated the 1st of March, 1903, in the same manner and to the same extent as if the terms of the said agreement had been set out and enacted in the body of the said Act, and that thereupon all the properties, rights, assets and franchises of The Electrical Development Company of Ontario Limited should be vested in the Commission but subject to the terms, covenants, agreements, provisos and conditions referred to or set out in the said agreement and subject to the said mortgage of the 1st day of March, 1903, and to the bonds secured thereby and to all the rights by the said mortgage and the said bonds reserved and subject to the due observance, fulfilment and performance by the Commission of all the covenants, agreements, provisos and conditions in the said indenture to be kept, observed and performed by the said The Electrical Development Company of Ontario Limited; and whereas doubts have arisen as to the right of the Commission to require the Trustee under the said mortgage to grant releases of properties and as to the disposition of the considerations received on the sale or other disposition of properties comprised in the mortgaged premises;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Power Commission and Companies Transfer Act, 1929*.

Conditions of release of certain properties from trust mortgage.

**2.** In addition to all other powers possessed by it, the Trustee under the said mortgage of the 1st of March, 1903, has since the date of the said agreement of the 25th of March, 1924, and now has, and shall have while any of the bonds secured by the said mortgage remain outstanding and unpaid, power to concur with the Commission in the disposition of any property, real or personal, comprised in the mortgaged premises, and the Trustee shall be entitled, upon the request of the Commission and upon receipt by the Trustee of the consideration to be received on any such sale or other disposition, to release any property from the said mortgage which shall be sold or disposed of for a fair consideration by the Commission, including property expropriated or which may be sold in anticipation of expropriation or after the commencement of expropriation proceedings, but prior to the compensation therefor being fixed pursuant to the authority under which such expropriation is being or is about to be carried out, and thereafter the said consideration shall be paid or transferred by the Trustee to the Commission upon one of the following conditions being complied with:

- (a) Other property acquired or constructed by the Commission since the 25th day of March, 1924, equal in value to the property released, consisting of freehold or leasehold lands or of buildings, improvements, works, plant, machinery or apparatus upon or to be used in connection with property forming part of the mortgaged premises, is substituted for the property released; and which property so substituted may include the whole or any part of the property received as the consideration or part consideration for the property released; or,
- (b) The amount of such consideration or the part thereof so paid to the Commission is received by the Commission for the purpose of making expenditures or for the purpose of recouping the Commission for expenditures made by it on capital account since the 25th day of March, 1924, on buildings, improvements works, plant, machinery or apparatus upon or to be used in connection with property forming part of the mortgaged premises and which is under or will be brought under the mortgage.

3. If within one year from the receipt of such consideration by the Trustee neither of the conditions mentioned in the last preceding paragraph hereof shall have been complied with, then the consideration if and to the extent consisting of cash shall be added to the sinking fund and applied with the next instalment of sinking fund moneys and as an addition thereto in the manner in the said mortgage provided for the application of sinking fund moneys, and if and to the extent consisting of property other than cash shall be held by the Trustee as part of the mortgaged premises.

Non-compliance with conditions.

4. The substitution of property or the bringing of property under the mortgage pursuant to the foregoing provisions hereof shall be effected by the Commission delivering to the Trustee a certificate under its corporate seal, executed by the chairman and secretary, containing a description of the property to be substituted or brought under the mortgage, whereupon, or in the case of properties to be erected or acquired, then upon the same coming into being or being so acquired, such property so described shall be and become subject to a first mortgage in favour of the Trustee as part of the mortgaged premises under the said mortgage and subject to the lien and charge thereof.

Mode of effecting substitution of property.

5. The trustee shall be entitled to rely upon a certificate under the corporate seal of the Commission, signed by the chairman and secretary or by the chief accountant, as to the value of any property released or substituted or brought under the mortgage and as to the amount of any expenditures made or proposed to be made and as to the consideration received for any property released, and in the case of moneys paid to the Commission for the purpose of making expenditures that such expenditures will be made.

Certification of value of substituted property.

6. The said agreement of the 25th of March, 1924, is hereby confirmed and declared to be legal, valid and binding upon the same parties and to the same extent as provided for in *The Power Commission and Companies Transfer Act, 1924*, and as if the foregoing provisions hereof were set out in the said mortgage of the 1st of March, 1903.

Confirmation of agreement of 25th March, 1924.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

The Power Commission and Companies  
Transfer Act, 1929.

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*1st Reading*

March 15th, 1929.

*2nd Reading*

March 19th, 1929.

*3rd Reading*

March 26th, 1929.

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MR. COOKE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to provide for Old Age Pensions.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Old Age Pensions Act, 1929*. Short title.

2. In this Act,— Interpretation.

(a) "Commission" shall mean such department or branch of the Government or commission or other body of persons as may be appointed or designated by the Lieutenant-Governor in Council to administer this Act. "Commission."

(b) "Local authority" shall mean and include the council of a county, city or town separated from the county for municipal purposes, or a board or commission appointed for the purposes of this Act by the council of such county, city or separated town or incorporated municipality, and in provisional judicial districts a board or commission appointed by the Lieutenant-Governor in Council for any defined territory for the purposes of this Act. "Local authority."

(c) "Minister" shall mean that member of the Executive Council designated by the Lieutenant-Governor in Council to have charge of the administration of this Act. "Minister."

3. The Lieutenant-Governor in Council may enter into an agreement with the Governor-General in Council as to a general scheme of old age pensions in the Province pursuant to the provisions of any Act of the Dominion heretofore or hereafter passed relating to old age pensions, and the regulations made thereunder, and for the payment by the Dominion to the Province quarterly of an amount equal to one-half of the net sum paid out during the preceding quarter by the Province for old age pensions pursuant to the provisions of this Act. Agreement with Dominion Government authorized.

Payment of pensions.

**4.** The Lieutenant-Governor in Council may by Order-in-Council authorize and provide for the payment of old age pensions to the persons and under the conditions specified in any Act of the Dominion heretofore or hereafter passed relating to old age pensions, and the regulations made thereunder.

Application for pension.

**5.** An application for a pension under this Act shall be made in the first instance to the local authority in such manner and accompanied by such proofs as the regulations may require, and the local authority shall give its decision in writing upon each application, but the granting or refusal of a pension in any case shall be subject to appeal to the Commission and the Commission may disallow, modify or alter any order or ruling of the local authority and the decision of the Commission shall be final and binding, but the Commission may reconsider any decision and may rescind, alter or amend any order, direction or ruling previously made by it under the authority of this Act.

Payments out of appropriations.

**6.** Every pension granted under this Act and the expenses incurred in the administration of this Act shall be paid out of such moneys as may be voted by the Legislature and appropriated for those purposes and shall be paid by the Treasurer of Ontario upon the direction in writing of the chairman or other head of the Commission, countersigned by the Minister, and every such direction shall be final and conclusive and shall not be subject to further examination or audit by any provincial authority, and the Treasurer upon receiving the direction shall issue the cheque and the Provincial Auditor shall countersign same.

Contributions by county, city or town.

**7.—(1)** Every direction for payment of a pension under this Act shall name the county, city or separated town or provisional judicial district of which the person to whom the pension is payable shall be deemed a resident for the purposes of this Act.

Notice to municipality.

(2) Notice in writing, signed by the chairman or other head of the Commission, that such pension has been granted with the name and place of residence of the person to whom the same is payable and stating that the municipal corporation of the county, city or town will be required to contribute to such pension as hereinafter provided, shall be sent by registered post to the clerk of the corporation of the county, city, or town in which such person is resident.

Amount of contribution.

(3) Every municipal corporation named by the Commission as a contributor under this section shall at such intervals and upon such dates as may be fixed by the regulations pay to the Treasurer of Ontario an amount equal to twenty per centum of



the pension, and every such amount shall be a debt due to the Crown from the corporation and recoverable with costs by action at the suit of the Treasurer of Ontario.

(4) Where the person to whom a pension is payable under this Act is a resident of some place in a provisional judicial district, other than a city or a town of 10,000 or more population, contributions shall not be required under this section.

Provisional  
judicial  
districts.

8. Every pension granted under this Act shall be exempt from provincial and municipal taxes and shall not be subject to garnishment or attachment or seizure or any legal process and shall be unassignable.

Pension not  
liable to  
taxation,  
attachment,  
etc.

9. If under the authority of the Parliament of Canada, or for any other reason whatsoever, the Government of Canada shall cease to make the contributions provided for under *The Old Age Pensions Act* of the Dominion of Canada, or fails to carry out the agreement entered into under the authority of this Act, the right to the granting or continuance of any pension under this Act shall thereupon cease and determine and no further payment of pensions shall be made under this Act.

Right to  
pension to  
cease on  
Dominion's  
failure to  
contribute.  
R.S.C.,  
c. 156.

10.—(1) Where a pensioner is the owner of an interest in a dwelling house in which he resides and the Commission accepts a transfer to it of such interest, the pension payable to the pensioner shall not be subject to any reduction in respect of the annual value of such interest, but the Commission shall, on the death of the pensioner or upon his ceasing to use such dwelling house as his place of residence, be entitled to sell the pensioner's interest therein and to retain out of the proceeds of such sale the amount of all payments made to the pensioner by way of pension in excess of the amount he would have received if such interest had not been transferred to the Commission, together with interest on the said payments at the rate of five per centum per annum, compounded annually.

When  
annual  
value of  
pensioner's  
residence  
not to affect  
pension.

(2) The Commission shall be entitled to recover out of the estate of any deceased pensioner, as a debt due by the pensioner to the Commission, the sum of the pension payments made to such pensioner from time to time, together with interest at the rate of five per centum per annum compounded annually.

Recovery  
of pension  
payments  
out of  
deceased  
pensioner's  
estate.

No claim shall be made by the Commission for the recovery of such debt directly or indirectly out of any part of the pensioner's estate which passes by will or on an intestacy to any other pensioner or to any person who has, since the grant of such pension or for the last three years during which such

Right not to  
extend to  
estate of  
pensioner  
or to person  
maintaining.

pension has continued to be paid, regularly contributed to the support of the pensioner by the payment of money or otherwise to the extent which, having regard to the means of the person so having contributed, is considered by the Commission to be reasonable.

When pension to be paid to trustee.

**11.** In the event of the incapacity of any pensioner or if the Commission considers that the pensioner is using, or is likely to use his pension otherwise than for his own benefit, the Commission may direct the payment of the pension to a trustee or trustees approved by the Commission to be expended for the benefit of the pensioner.

Management of property by Commission.

**12.** The Commission may, with the consent of the pensioner, assume the management of any property, real or personal, belonging to the pensioner.

Pensioners not disqualified from voting.

**13.** The receipt of a pension shall not by itself disqualify any person from voting at any provincial or municipal election.

Regulations.

**14.** The Lieutenant-Governor in Council may make regulations,—

- (a) designating or establishing the Commission and for providing for the appointment of a chairman, vice-chairman and other officers, and the appointment of clerical and other assistance in the office of the Commission;
- (b) providing for the payment of salaries or other remuneration and expenses of the members of the Commission and of the officers, clerks and servants thereof, and generally respecting the keeping of accounts and expenditures;
- (c) for the appointment of boards or commissions to act as a local authority in any defined territory in a provisional judicial district;
- (d) prescribing the form of application for pensions and the proofs to be furnished therewith;
- (e) respecting the procedure of the local authority upon the hearing of applications for pensions and the procedure on appeals to the Commission;
- (f) regulating the times at which pensions granted under this Act shall be payable;
- (g) providing for the payment of any pension or part thereof granted under this Act to any statutory or

other committee or trustee of the estate of the person to whom the pension is granted, or with the consent of the pensioner to any person or trust or corporate body undertaking or liable for the maintenance and care of any person to whom a pension is granted under this Act,

but no regulation by reference to which any agreement with the Governor-General in Council shall be made shall be altered, nor shall any change be made in any scheme for old age pensions approved by the Governor-General in Council except with the consent of the Governor-General in Council or in accordance with the provisions of the regulations to which he has agreed.

**15.** In the absence of any special appropriation of the Legislature available for the purposes of this Act, all moneys necessary to meet the old age pensions payable under this Act and the salaries and expenses necessarily incurred in the administration of this Act, shall be paid out of the Consolidated Revenue Fund. Payment out of consolidated revenue.

**16.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation. Commencement of Act.





Ontario.  
19 George V, 1929.

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BILL.

An Act to provide for Old Age Pensions.

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*1st Reading*

March 15th, 1929.

*2nd Reading*

*3rd Reading*

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MR. FERGUSON.

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TORONTO:  
Printed by  
The Printer to the King's Most Excellent Majesty.

# BILL

An Act to provide for Old Age Pensions.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Old Age Pensions Act, 1929*. Short title.

2. In this Act,—

Inter-pretation

(a) "Commission" shall mean such department or branch of the Government or commission or other body of persons as may be appointed or designated by the Lieutenant-Governor in Council to administer this Act; "Com-mission."

(b) "Local authority" shall mean and include the council of a county, city or town separated from the county for municipal purposes, or a board or commission appointed for the purposes of this Act by the council of such county, city or separated town, and in provisional judicial districts a board or commission appointed by the Lieutenant-Governor in Council for any defined territory for the purposes of this Act; "Local authority."

(c) "Minister" shall mean that member of the Executive Council designated by the Lieutenant-Governor in Council to have charge of the administration of this Act; "Minister."

(d) "Provisional judicial district" shall include the provisional county of Haliburton.

3. The Lieutenant-Governor in Council may enter into an agreement with the Governor-General in Council as to a general scheme of old age pensions in the Province pursuant to the provisions of any Act of the Dominion heretofore or hereafter passed relating to old age pensions, and the regulations made thereunder, and for the payment by the Dominion to the Province quarterly of an amount equal to one-half of the net sum paid out during the preceding quarter by the Province for old age pensions pursuant to the provisions of this Act. Agreement with Dominion Government authorized.

Payment of pensions.

4. The Lieutenant-Governor in Council may by Order-in-Council authorize and provide for the payment of old age pensions to the persons and under the conditions specified in any Act of the Dominion heretofore or hereafter passed relating to old age pensions, and the regulations made thereunder.

Application for pension.

5. An application for a pension under this Act shall be made in the first instance to the local authority in such manner and accompanied by such proofs as the regulations may require, and the local authority shall give its decision in writing upon each application, but the granting or refusal of a pension in any case shall be subject to appeal to the Commission and the Commission may disallow, modify or alter any order or ruling of the local authority and the decision of the Commission shall be final and binding, but the Commission may reconsider any decision and may rescind, alter or amend any order, direction or ruling previously made by it under the authority of this Act.

Payments out of appropriations.

6. Every pension granted under this Act and the expenses incurred in the administration of this Act shall be paid out of such moneys as may be voted by the Legislature and appropriated for those purposes and shall be paid by the Treasurer of Ontario upon the direction in writing of the chairman or other head of the Commission, countersigned by the Minister, and every such direction shall be final and conclusive and shall not be subject to further examination or audit by any provincial authority, and the Treasurer upon receiving the direction shall issue the cheque and the Provincial Auditor shall countersign same.

Contributions by county, city or town.

7.—(1) Every direction for payment of a pension under this Act shall name the county, city or separated town or provisional judicial district of which the person to whom the pension is payable shall be deemed a resident for the purposes of this Act.

Notice to municipality.

(2) Notice in writing, signed by the chairman or other head of the Commission, that such pension has been granted with the name and place of residence of the person to whom the same is payable and stating that the municipal corporation of the county, city or town will be required to contribute to such pension as hereinafter provided, shall be sent by registered post to the clerk of the corporation of the county, city, or town in which such person is resident.

Amount of contribution.

(3) Every municipal corporation named by the Commission as a contributor under this section shall at such intervals and upon such dates as may be fixed by the regulations pay to the Treasurer of Ontario an amount equal to twenty per centum of



the pension, and every such amount shall be a debt due to the Crown from the corporation and recoverable with costs by action at the suit of the Treasurer of Ontario.

(4) Where the person to whom a pension is payable under this Act is a resident of some place in a provisional judicial district, other than a city or a town of 10,000 or more population, contributions shall not be required under this section.

8. Every pension granted under this Act shall be exempt from provincial and municipal taxes and shall not be subject to garnishment or attachment or seizure or any legal process and shall be unassignable.

9. If under the authority of the Parliament of Canada, or for any other reason whatsoever, the Government of Canada shall cease to make the contributions provided for under the *Old Age Pensions Act* of the Dominion of Canada, or fails to carry out the agreement entered into under the authority of this Act, the right to the granting or continuance of any pension under this Act shall thereupon cease and determine and no further payment of pensions shall be made under this Act.

10.—(1) Where a pensioner is the owner of an interest in a dwelling house in which he resides and the Commission accepts a transfer to it of such interest, the pension payable to the pensioner shall not be subject to any reduction in respect of the annual value of such interest, but the Commission shall, on the death of the pensioner or upon his ceasing to use such dwelling house as his place of residence, be entitled to sell the pensioner's interest therein and to retain out of the proceeds of such sale the amount of all payments made to the pensioner by way of pension in excess of the amount he would have received if such interest had not been transferred to the Commission, together with interest on the said payments at the rate of five per centum per annum, compounded annually.

(2) The Commission shall be entitled to recover out of the estate of any deceased pensioner, as a debt due by the pensioner to the Commission, the sum of the pension payments made to such pensioner from time to time, together with interest at the rate of five per centum per annum compounded annually.

No claim shall be made by the Commission for the recovery of such debt directly or indirectly out of any part of the pensioner's estate which passes by will or on an intestacy to any other pensioner or to any person who has, since the grant of such pension or for the last three years during which such

pension has continued to be paid, regularly contributed to the support of the pensioner by the payment of money or otherwise to the extent which, having regard to the means of the person so having contributed, is considered by the Commission to be reasonable.

When pension to be paid to trustee.

**11.** In the event of the incapacity of any pensioner or if the Commission considers that the pensioner is using, or is likely to use his pension otherwise than for his own benefit, the Commission may direct the payment of the pension to a trustee or trustees approved by the Commission to be expended for the benefit of the pensioner.

Management of property by Commission.

**12.** The Commission may, with the consent of the pensioner, assume the management of any property, real or personal, belonging to the pensioner.

Pensioners not disqualified from voting.

**13.** The receipt of a pension shall not by itself disqualify any person from voting at any provincial or municipal election.

Regulations.

**14.** The Lieutenant-Governor in Council may make regulations,—

- (a) designating or establishing the Commission and for providing for the appointment of a chairman, vice-chairman and other officers, and the appointment of clerical and other assistance in the office of the Commission;
- (b) providing for the payment of salaries or other remuneration and expenses of the members of the Commission and of the officers, clerks and servants thereof, and generally respecting the keeping of accounts and expenditures;
- (c) for the appointment of boards or commissions to act as a local authority in any defined territory in a provisional judicial district;
- (d) prescribing the form of application for pensions and the proofs to be furnished therewith;
- (e) respecting the procedure of the local authority upon the hearing of applications for pensions and the procedure on appeals to the Commission;
- (f) regulating the times at which pensions granted under this Act shall be payable;
- (g) providing for the payment of any pension or part thereof granted under this Act to any statutory or

other committee or trustee of the estate of the person to whom the pension is granted, or with the consent of the pensioner to any person or trust or corporate body undertaking or liable for the maintenance and care of any person to whom a pension is granted under this Act,

but no regulation by reference to which any agreement with the Governor-General in Council shall be made shall be altered, nor shall any change be made in any scheme for old age pensions approved by the Governor-General in Council except with the consent of the Governor-General in Council or in accordance with the provisions of the regulations to which he has agreed.

**15.** In the absence of any special appropriation of the Legislature available for the purposes of this Act, all moneys necessary to meet the old age pensions payable under this Act and the salaries and expenses necessarily incurred in the administration of this Act, shall be paid out of the Consolidated Revenue Fund.

Payment  
out of  
consolidated  
revenue.

**16.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.

Commence-  
ment of Act





Ontario.  
19 George V, 1929.

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BILL.

An Act to provide for Old Age Pensions.

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*1st Reading*

March 15th, 1929.

*2nd Reading*

March 21st, 1929.

*3rd Reading*

March 28th, 1929.

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MR. FERGUSON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Highway Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Highway Improvement Act, 1929*. Short title.

**2.**—(1) Subsection 1 of section 14 of *The Highway Improvement Act* is amended by inserting after the word “but” in the tenth line the words “subject to the provisions of subsection 1a.” Rev. Stat., c. 54, s. 14, subs. 1, amended.

(2) The said section 14 is amended by adding thereto the following subsection: Rev. Stat., c. 54, s. 14, amended.

(1a) Where the council of a county has paid over moneys raised on sinking fund account to the Treasurer of Ontario under the provisions of sections 319 to 323 of *The Municipal Act*, the amount to be raised and levied in each year under subsection 1 shall not exceed five per centum of the amount of the equalized assessment of the county and the amount in the hands of the Treasurer of Ontario on sinking fund account added together. Limit of amount of county rate. Rev. Stat., c. 233.

**3.** Subsection 3 of section 26 of *The Highway Improvement Act* is amended by striking out all the words after the word “Act” in the fifth line. Rev. Stat., c. 54, s. 26, subs. 3, amended.

**4.** Subsection 1 of section 63 of *The Highway Improvement Act* is amended by striking out the words “the next preceding section” in the last line and inserting in lieu thereof the words “section 61.” Rev. Stat., c. 54, s. 63, subs. 1, amended.

**5.** Section 65 of *The Highway Improvement Act* is amended by adding thereto the following subsection: Rev. Stat., c. 54, s. 65, amended.

(8) Where a road has been constructed or improved under this section the cost of maintenance and repair shall be paid out of the Fund and borne and paid by Contribution to maintenance and repair of certain town and village roads.

the corporation of a town or village in the same proportion as the cost of such construction or improvement.

Rev. Stat.,  
c. 54, s. 77a,  
(1928,  
c. 18, s. 6),  
amended.

**6.** Section 77a of *The Highway Improvement Act* as enacted by section 6 of *The Highway Improvement Act, 1928*, is amended by striking out all the words therein after the word "Board" in the thirteenth line, and by adding to the said section the following subsections:

Limitation  
of claims  
for compen-  
sation.

(2) No such action or other proceeding shall lie in respect of any such claim unless notice in writing of the claim and of the injury complained of has been filed with the Department within six months after the injury complained of, or in the case of a continuing injury, within one year from the time when the injury began or became known to the complainant.

Application  
of s. 87.

(3) Section 87 shall apply to any such action or proceeding.

Rev. Stat.,  
c. 54, s. 81,  
amended.

**7.** Section 81 of *The Highway Improvement Act* is amended by adding thereto the following subsection:

Repair and  
maintenance  
of highway  
by Depart-  
ment on  
corporation's  
default.

(6) Where the Minister finds that a road to which this Act applies in any municipality is out of repair, he may, after at least one month's notice in writing to the corporation of the municipality, direct the Department to undertake the work of putting such road in repair, and the cost of such work shall be chargeable to and shall be a debt due from the corporation of the municipality to the Crown and the Minister may direct that such cost shall be deducted from any sums of money payable to the municipality under this Act.

Rev. Stat.,  
c. 54, s. 85,  
subs. 3,  
amended.

**8.** Subsection 3 of section 85 of *The Highway Improvement Act* is amended by striking out the words "the removal of" in the second line.

Commence-  
ment of Act.

**9.** This Act shall come into force on the day upon which it receives the Royal Assent.





Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Highway Improvement Act.

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*1st Reading*

March 18th, 1929.

*2nd Reading*

*3rd Reading*

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Mr. HENRY.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Highway Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Highway Improvement Act, 1929.* Short title.

**2.**—(1) Subsection 1 of section 14 of *The Highway Improvement Act* is amended by inserting as the commencement of the said subsection the words "Subject to the provisions of subsection 1a." Rev. Stat., c. 54, s. 14, subs. 1, amended.

(2) The said section 14 is amended by adding thereto the following subsection: Rev. Stat., c. 54, s. 14, amended.

(1a) Where the council of a county has paid over moneys raised on sinking fund account to the Treasurer of Ontario under the provisions of sections 319 to 323 of *The Municipal Act*, the amount to be raised and levied for the construction and improvement of highways under subsection 1 may be a sum not exceeding the total amount so in the hands of the Treasurer of Ontario with five per centum of the equalized assessment of the county added thereto. Limit of amount of county rate. Rev. Stat. c. 233.

**3.** Subsection 3 of section 26 of *The Highway Improvement Act* is amended by striking out all the words after the word "Act" in the fifth line. Rev. Stat., c. 54, s. 26, subs. 3, amended.

**4.** Subsection 1 of section 63 of *The Highway Improvement Act* is amended by striking out the words "the next preceding section" in the last line and inserting in lieu thereof the words "section 61." Rev. Stat., c. 54, s. 63, subs. 1, amended.

**5.** Section 65 of *The Highway Improvement Act* is amended by adding thereto the following subsection: Rev. Stat., c. 54, s. 65, amended.

(8) Where a road has been constructed or improved under this section the cost of maintenance and repair shall be paid out of the Fund and borne and paid by Contribution to maintenance and repair of certain town and village roads.

the corporation of a town or village in the same proportion as the cost of such construction or improvement.

Rev. Stat.,  
c. 54, s. 77a,  
(1928,  
c. 18, s. 6),  
amended.

**6.** Section 77a of *The Highway Improvement Act* as enacted by section 6 of *The Highway Improvement Act, 1928*, is amended by striking out all the words therein after the word "Board" in the thirteenth line, and by adding to the said section the following subsections:

Limitation  
of claims  
for compen-  
sation.

(2) No such action or other proceeding shall lie in respect of any such claim unless notice in writing of the claim and of the injury complained of has been filed with the Department within six months after the injury complained of, or in the case of a continuing injury, within one year from the time when the injury began or became known to the complainant.

Application  
of s. 87.

(3) Section 87 shall apply to any such action or proceeding.

Rev. Stat.,  
c. 54, s. 81,  
amended.

**7.** Section 81 of *The Highway Improvement Act* is amended by adding thereto the following subsection:

Repair and  
maintenance  
of highway  
by Depart-  
ment on  
corporation's  
default.

(6) Where *the District Engineer reports to the Department that a road to which this Act applies in any municipality is out of repair, the Minister* may, after at least *two* months' notice in writing to the corporation of the municipality, direct the Department to undertake the work of putting such road in repair, and the cost of such work shall be chargeable to and shall be a debt due from the corporation of the municipality to the Crown and the Minister may direct that such cost shall be deducted from any sums of money payable to the municipality under this Act.

Rev. Stat.,  
c. 54, s. 85,  
subs. 3,  
amended.

**8.** Subsection 3 of section 85 of *The Highway Improvement Act* is amended by striking out the words "the removal of" in the second line.

Commence-  
ment of Act.

**9.** This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Highway Improvement Act.

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*1st Reading*

March 18th, 1929.

*2nd Reading*

March 21st, 1929.

*3rd Reading*

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MR. HENRY.

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*(Reprinted as amended in Committee of the  
Whole House.)*

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Highway Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Highway Improvement Act, 1929.* Short title.

**2.**—(1) Subsection 1 of section 14 of *The Highway Improvement Act* is amended by inserting at the commencement of the said subsection the words "Subject to the provisions of subsection 1a." Rev. Stat., c. 54, s. 14, subs. 1, amended.

(2) The said section 14 is amended by adding thereto the following subsection: Rev. Stat., c. 54, s. 14, amended.

(1a) Where the council of a county has paid over moneys raised on sinking fund account to the Treasurer of Ontario under the provisions of sections 319 to 323 of *The Municipal Act*, the amount to be raised and levied for the construction and improvement of highways under subsection 1 may be a sum not exceeding the total amount so in the hands of the Treasurer of Ontario with five per centum of the equalized assessment of the county added thereto. Limit of amount of county rate. Rev. Stat. c. 233.

**3.** Subsection 3 of section 26 of *The Highway Improvement Act* is amended by striking out all the words after the word "Act" in the fifth line. Rev. Stat., c. 54, s. 26, subs. 3, amended.

**4.** Subsection 1 of section 63 of *The Highway Improvement Act* is amended by striking out the words "the next preceding section" in the last line and inserting in lieu thereof the words "section 61." Rev. Stat., c. 54, s. 63, subs. 1, amended.

**5.** Section 65 of *The Highway Improvement Act* is amended by adding thereto the following subsection: Rev. Stat., c. 54, s. 65, amended.

(8) Where a road has been constructed or improved under this section the cost of maintenance and repair shall be paid out of the Fund and borne and paid by Contribution to maintenance and repair of certain town and village roads.

the corporation of a town or village in the same proportion as the cost of such construction or improvement.

Rev. Stat.,  
c. 54, s. 77a,  
(1928,  
c. 18, s. 6),  
amended. **6.** Section 77a of *The Highway Improvement Act* as enacted by section 6 of *The Highway Improvement Act, 1928*, is amended by striking out all the words therein after the word "Board" in the thirteenth line, and by adding to the said section the following subsections:

Limitation  
of claims  
for compen-  
sation.

(2) No such action or other proceeding shall lie in respect of any such claim unless notice in writing of the claim and of the injury complained of has been filed with the Department within six months after the injury complained of, or in the case of a continuing injury, within one year from the time when the injury began or became known to the complainant.

Application  
of s. 87.

(3) Section 87 shall apply to any such action or proceeding.

Rev. Stat.,  
c. 54, s. 81,  
amended.

**7.** Section 81 of *The Highway Improvement Act* is amended by adding thereto the following subsection:

Repair and  
maintenance  
of highway  
by Depart-  
ment on  
corporation's  
default.

(6) Where the District Engineer reports to the Department that a road to which this Act applies in any municipality is out of repair, the Minister may, after at least two months' notice in writing to the corporation of the municipality, direct the Department to undertake the work of putting such road in repair, and the cost of such work shall be chargeable to and shall be a debt due from the corporation of the municipality to the Crown and the Minister may direct that such cost shall be deducted from any sums of money payable to the municipality under this Act.

Rev. Stat.,  
c. 54, s. 85,  
subs. 3,  
amended.

**8.** Subsection 3 of section 85 of *The Highway Improvement Act* is amended by striking out the words "the removal of" in the second line.

Commence-  
ment of Act.

**9.** This Act shall come into force on the day upon which it receives the Royal Assent.





3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Highway Improvement Act.

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*1st Reading*

March 18th, 1929.

*2nd Reading*

March 21st, 1929.

*3rd Reading*

March 28th, 1929.

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MR. HENRY.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 12 and 13 of *The Assessment Act* are repealed and the following substituted therefor: Rev. Stat., c. 238, ss. 12, 13, repealed.
- 12.—(1) The income of money invested in Ontario by a person resident out of Ontario and the income of money invested by such a person through an agent or trustee resident within Ontario shall not be assessed. Income of money invested by non-residents not assessable.
- (2) Subject to subsection 1 the income of every estate or trust fund held by executors or administrators, trustees or agents shall, when the person beneficially entitled is resident out of Ontario, be assessed in the hands of such executors, administrators, trustees or agents who may pay the amount of taxes out of the income in their hands. Payment of tax by trustee out of income.
- (3) Any executor, administrator, trustee or agent failing to pay the income tax thereon out of the trust fund shall be personally liable therefor. Failure of trustee to pay.
- (4) Income received by an executor, administrator, trustee or agent which is not distributable annually but is accumulated shall be liable to assessment from year to year but shall not be liable to be again assessed when the accumulated fund is distributed. Assessment of income not distributed annually.
- (5) An assessment under this section shall be made at the place of the residence of the testator at the time of his death or of the settlor at the date of the settlement, or, if this is not within Ontario, where the trustee or agent resides, or, if there be more than one, where the chief business of the trust is carried on. Place of assessment.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Assessment Act.

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*1st Reading*

March 18th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Liquor Control Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Liquor Control Amendment Act, 1929*. Short title.

2. Section 36 of *The Liquor Control Act* is amended by Rev. Stat., c. 257, s. 36, inserting after the word "place" in the tenth line, the words amended. "in Ontario."

3. Subsection 2 of section 42 of *The Liquor Control Act* as Rev. Stat., c. 257, s. 42, amended by section 6 of *The Liquor Control Amendment Act, 1928*, is repealed and the following substituted therefor: subs. 2, repealed.

- (2) If the occupant of a residence or of any part thereof, Disqualification of premises on conviction. including the rooms or premises of any lodgers, boarders or tenants therein, or any member of the family of the occupant is convicted of keeping a disorderly house or of an offence against any of the provisions of this Act committed in or in respect of such residence, or in respect of any liquor kept therein or removed therefrom, the same, including the rooms or premises of any lodgers, boarders or tenants therein shall cease to be a residence within the meaning of this Act for a period of one year after the date of such conviction, and shall for such period be deemed to be a public place for the purposes of this Act; provided that the Board may, when satisfied of a *bona fide* change of ownership or occupation of such premises, or when it is desirable to do so, declare such premises to be a residence and may grant a certificate to such effect to the owner or occupant of such premises and such premises shall from the date of the granting of such certificate signed by the chief commissioner or deputy chief commissioner of the Board, be a residence and cease to be a public place within the meaning of this Act.

Rev. Stat.,  
c. 257, s. 43,  
amended. **4.** Section 43 of *The Liquor Control Act* is amended by adding thereto the following subsection:

Forfeiture of  
liquor on  
cancellation  
of permit. (7) Notwithstanding anything in this Act contained where any permit granted for the purchase of liquor under this Act is cancelled, all the liquor purchased under such permit and in the possession of the permit holder at the date of cancellation, shall *ipso facto* be forfeited to His Majesty in the right of the Province.

Rev. Stat.,  
c. 257, s. 69,  
subs. 2,  
amended. **5.**—(1) Subsection 2 of section 69 of *The Liquor Control Act* is amended by striking out the words “on or before November 1st of the year in which the vote is taken” in the twenty-third line of the said subsection.

Taking  
time for  
local option  
vote.

Rev. Stat.,  
c. 257, s. 69,  
subs. 5,  
repealed. (2) Subsection 5 of the said section 69 is repealed and the following substituted therefor:

Date of  
polling. (3) The day fixed for taking the vote on any question shall be the day upon which under *The Municipal Act*, or any by-law passed under that Act, a poll would be held at the annual election of members of the council of the municipality unless the Board fix some other day and notify the clerk of the municipality to that effect on or before the 1st day of November of the year in which the vote is taken; but a poll shall not be held on any such question until after the expiration of two months from the passing of a by-law for submitting the question, where the council submits the same without a petition, nor until after the expiration of two months from the filing of the petition, as the case may be.

Rev. Stat.,  
c. 257, s. 74,  
amended. **6.** Section 74 of *The Liquor Control Act* is amended by adding thereto the following subsections:

Only one  
permit to  
each person. (2) No official or person authorized to issue permits under this Act shall issue more than one permit for the purchase of liquor under this Act to any one individual.

Furnishing  
liquor on  
illegal  
permit. (3) No vendor and no person acting as the clerk or servant of, or in any capacity for any vendor, shall furnish or sell liquor to any permit holder whose permit has not been acquired in accordance with the provisions of this Act and the regulations thereunder.

7. Section 88 of *The Liquor Control Act* is amended by adding thereto the following subsection: Rev. Stat., c. 257, s. 8 amended.

- (3) No person shall furnish a wrong or fictitious address in applying for the issue to him of a permit authorizing the purchase of liquor and beer. False address.

8. Section 101 of *The Liquor Control Act* is repealed and the following substituted therefor: Rev. Stat., c. 257, s. 101, repealed.

- 101.—(1) Everyone who violates any of the provisions of subsection 1 of section 74 shall for a first offence be imprisoned for not more than six months and for a second or subsequent offence be imprisoned for not more than twelve months. Penalty for offence as to permits.

- (2) Every person who knowingly violates any of the provisions of subsections 2 and 3 of section 74, shall be imprisoned for not less than six months nor more than twelve months. Id.

- (3) Every person who violates any of the provisions of section 76 hereof shall be imprisoned for not more than twelve months. Corrupt dealings of officials.

9. Subsection 3 of section 103 of *The Liquor Control Act* is repealed and the following substituted therefor: Rev. Stat., c. 257, s. 103, subs. 3, repealed.

- (3) Everyone who violates any of the provisions of sections 34, 35, 42, 56, 58, 59, 60, subsection 2 of section 72, or sections 84, 88, 90, 91 or 92 shall be liable for a first offence to a fine of not less than \$100 nor more than \$1,000 and in default of immediate payment shall be imprisoned for a period of three months and for a second or subsequent offence to imprisonment for three months. Penalties.

- (a) Everyone who violates any of the provisions of subsection 2 of section 81 shall be liable for a first offence to a penalty of not less than \$10 nor more than \$50 and in default of immediate payment, to imprisonment for not more than thirty days; for a second offence to a penalty of not less than \$50 nor more than \$100 and in default of immediate payment to imprisonment for not less than one month nor more than two months, and for a third or subsequent offence, to imprisonment for not less than three months nor more than six months without the option of a fine. Illegal consumption.

Rev. Stat.,  
c. 257, s. 104,  
amended. **10.** Section 104 of *The Liquor Control Act* is amended by adding thereto the following subsection:

Increased  
penalties in  
certain  
cases.

- (3) Where any person charged with an offence against any of the provisions of this Act, is found in possession of liquor purchased in accordance with the provisions of this Act, which liquor exceeds the sum of \$50 in value, or where such person is found in possession of any liquor not purchased in accordance with the provisions of this Act, the justice making the conviction shall in addition to any other penalty prescribed, impose on such person a sentence of not less than one month nor more than three months' imprisonment unless such person establishes, to the satisfaction of the justice, the circumstances under which such liquor was obtained, the person from whom such liquor was so obtained and the manner in which it came into the possession of the person so charged.

Rev. Stat.,  
c. 257, s. 113,  
repealed. **11.** Section 113 of *The Liquor Control Act* is repealed and the following section substituted therefor:

Impounding  
and forfei-  
ture of  
vehicles, etc.

- 113.—(1) Where liquor is found by any provincial police inspector, constable or other officer on any premises or in any place or in any vehicle, motor car, automobile, vessel, boat, canoe or conveyance of any description and in such quantities as to satisfy the inspector, constable or officer that such liquor is being had or kept contrary to the provisions of this Act, it shall be lawful for the inspector, constable or officer to forthwith seize and remove by force, if necessary, any liquor so found and the packages in which the liquor was had or kept, together with any vehicle, motor car, automobile, vessel, boat, canoe or conveyance containing such liquor.

Duty of  
officer.

- (2) Where liquor and any vehicle, motor car, automobile, vessel, boat, canoe or other conveyance containing liquor has been seized by an inspector, constable or officer under any of the provisions of this Act, under such circumstances that the inspector or constable is satisfied that such liquor was had or kept contrary to any of the provisions of this Act, he shall under the provisions of this section retain such liquor and the packages in which the same was had or kept, together with such vehicle, motor car, automobile, vessel, boat, canoe or other conveyance.



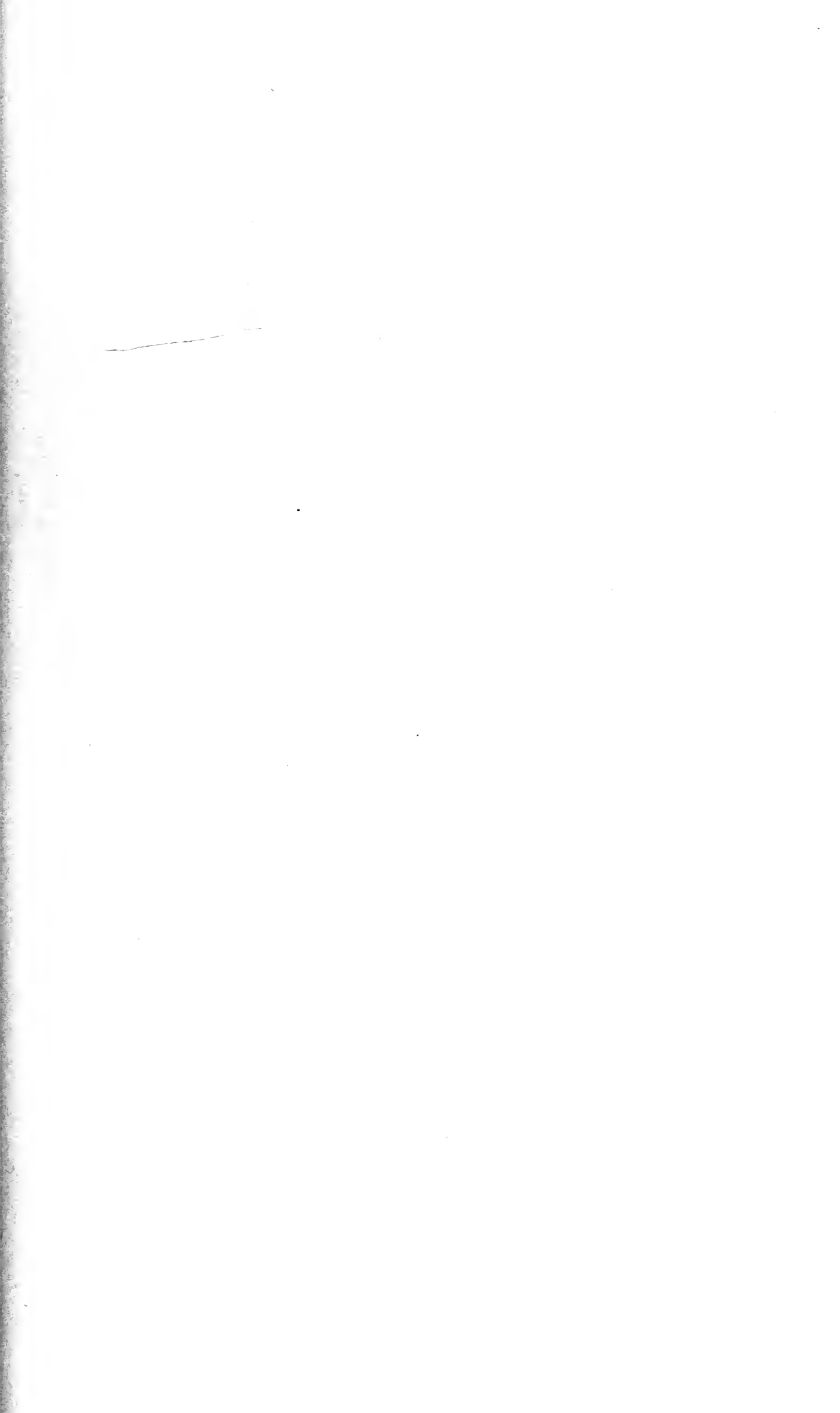
(3) If within thirty days from the date of the seizure no <sup>Forfeiture.</sup> person by notice in writing filed with the Board, claims to be the owner of the liquor and the vehicle, motor car, automobile, vessel, boat, canoe or other conveyance containing such liquor, the liquor and all packages containing the same, together with such vehicle, motor car, automobile, vessel, boat, canoe or other conveyance containing such liquor shall *ipso facto* be forfeited to His Majesty in the right of the Province and shall forthwith be delivered to the Board.

(4) If within the said time any claimant appears, it shall be <sup>Onus on claimant.</sup> incumbent upon him within that time and after three days' notice in writing filed with the Board stating the time and place fixed for the hearing, to prove his claim and his right under the provisions of this Act to the possession of such liquor and packages to the satisfaction of any justice, and on failure within that time to prove and establish his claim and right, the liquor and packages and the vehicle, motor car, automobile, vessel, boat, canoe or other conveyance in which such liquor was found shall *ipso facto* be forfeited to His Majesty in the right of the Province.

**12.** Subsection 2 of section 139 of *The Liquor Control Act* <sup>Rev. Stat., c. 257, s. 139, subs. 2, amended.</sup> is amended by adding thereto the following clause:

(b) Except so far as otherwise provided by this Act the <sup>Practice on appeals.</sup> Consolidated Rules of Practice and Procedure of the Supreme Court of Ontario relating to appeals to the Appellate Division of the Supreme Court of Ontario shall apply to appeals under this section.





3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Liquor Control Act.

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*1st Reading*

March 18th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Liquor Control Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Liquor Control Amendment Act, 1929*. Short title.
2. Section 36 of *The Liquor Control Act* is amended by inserting after the word "place" in the tenth line, the words "in Ontario." Rev. Stat., c. 257, s. 36, amended.
3. Subsection 2 of section 42 of *The Liquor Control Act* as amended by section 6 of *The Liquor Control Amendment Act, 1928*, is repealed and the following substituted therefor: Rev. Stat., c. 257, s. 42, subs. 2, repealed.
  - (2) If the occupant of a residence or of any part thereof, including the rooms of any lodgers, boarders or tenants therein, or any member of the family of such occupant is convicted of keeping a disorderly house or of an offence against any of the provisions of this Act committed in or in respect of such residence or rooms, or in respect of any liquor kept therein or removed therefrom, the justice making the conviction may in and by the conviction, declare such residence or the rooms of such lodgers, boarders or tenants therein or both to be a public place for the purposes of this Act and such residence or rooms or both, shall cease to be a residence within the meaning of this Act for a period of one year after the date of such conviction; provided that the Board may when satisfied of a *bona fide* change of ownership or occupation of such residence or rooms or both, or when it is desirable to do so, declare such residence or rooms or both, to be a residence within the meaning of this Act and may grant a certificate to such effect to the new owner or occupant of such residence or rooms or both and such residence or rooms or both shall from the date of the granting of such certificate, signed by the Chief Commissioner or Deputy Chief Proviso.

Commissioner of the Board, be a residence and cease to be a public place within the meaning of this Act.

Rev. Stat.,  
c. 257, s. 43,  
amended. **4.** Section 43 of *The Liquor Control Act* is amended by adding thereto the following subsection:

Forfeiture of  
liquor on  
cancellation  
of permit.

- (7) Notwithstanding anything in this Act contained where any permit granted for the purchase of liquor under this Act is cancelled, all the liquor purchased under such permit and in the possession of the permit holder at the date of cancellation, shall *ipso facto* be forfeited to His Majesty in the right of the Province.

Rev. Stat.,  
c. 257, s. 69,  
subs. 2,  
amended.  
Taking  
time for  
local option  
vote.

**5.**—(1) Subsection 2 of section 69 of *The Liquor Control Act* is amended by striking out the words "on or before November 1st of the year in which the vote is taken" in the twenty-third line of the said subsection.

Rev. Stat.,  
c. 257, s. 69,  
subs. 5,  
repealed.

(2) Subsection 5 of the said section 69 is repealed and the following substituted therefor:

Date of  
polling.

- (5) The day fixed for taking the vote on any question shall be the day upon which under *The Municipal Act*, or any by-law passed under that Act, a poll would be held at the annual election of members of the council of the municipality unless the Board fix some other day and notify the clerk of the municipality to that effect on or before the 1st day of November of the year in which the vote is taken; but a poll shall not be held on any such question until after the expiration of two months from the passing of a by-law for submitting the question, where the council submits the same without a petition, nor until after the expiration of two months from the filing of the petition, as the case may be.

Rev. Stat.,  
c. 257, s. 74,  
amended.

**6.** Section 74 of *The Liquor Control Act* is amended by adding thereto the following subsections:

Only one  
permit to  
each person.

- (2) No official or person authorized to issue permits under this Act shall issue more than one permit for the purchase of liquor under this Act to any one individual.

Furnishing  
liquor on  
illegal  
permit.

- (3) No vendor and no person acting as the clerk or servant of, or in any capacity for any vendor, shall furnish or sell liquor to any permit holder whose permit has not been acquired in accordance with the provisions of this Act and the regulations thereunder.

7. Section 88 of *The Liquor Control Act* is amended by adding thereto the following subsection: Rev. Stat., c. 257, s. 88 amended.

- (3) No person shall furnish a wrong or fictitious address in applying for the issue to him of a permit authorizing the purchase of liquor and beer. False address.

8. Section 91 of *The Liquor Control Act* is amended by adding thereto the following subsections: Rev. Stat., c. 257, s. 91, amended.

- (2) The Board upon the application of the owner or proprietor of any hotel may declare such hotel, or any designated part thereof, to be a public place for the purposes of this Act and may grant a certificate to such effect signed by the Chief Commissioner or Deputy Chief Commissioner to the said owner or proprietor. Application by hotel owner.
- (3) From the date of the granting of such certificate such hotel or any such designated part thereof, shall be a public place for the purposes of this Act and the provisions of subsection 1 hereof shall not apply to such hotel or such designated part thereof. Hotel declared a public place.
- (4) Upon the application of the owner or proprietor of any hotel to whom such certificate has been granted, the Board may at any time cancel such certificate and from the date of such cancellation the said hotel, or such part thereof as is designated in such certificate, shall for the purposes of this Act cease to be a public place and the provisions of subsection 1 shall apply to such hotel or such designated part. Cancellation of certificate.

9. Section 101 of *The Liquor Control Act* is repealed and the following substituted therefor: Rev. Stat., c. 257, s. 101, repealed.

- 101.—(1) Everyone who violates any of the provisions of subsection 1 of section 74 shall for a first offence be imprisoned for not more than six months and for a second or subsequent offence be imprisoned for not more than twelve months. Penalty for offence as to permits.
- (2) Every person who knowingly violates any of the provisions of subsections 2 and 3 of section 74, shall be imprisoned for not less than six months nor more than twelve months. Id.
- (3) Every person who violates any of the provisions of section 76 hereof shall be imprisoned for not more than twelve months. Corrupt dealings of officials.

Rev. Stat.,  
c. 257, s. 103,  
subs. 3,  
repealed.

**10.** Subsection 3 of section 103 of *The Liquor Control Act* is repealed and the following substituted therefor:

Penalties.

- (3) Everyone who violates any of the provisions of sections 34, 35, 42, 56, 58, 59, 60, subsection 2 of section 72, or sections 84, 88, 90, 91 or 92 shall be liable for a first offence to a fine of not less than \$100 nor more than \$1,000 and in default of immediate payment shall be imprisoned for a period of three months and for a second or subsequent offence to imprisonment for three months.

Illegal  
consump-  
tion.

- (a) Everyone who violates any of the provisions of subsection 2 of section 81 shall be liable for a first offence to a penalty of not less than \$10 nor more than \$50 and in default of immediate payment, to imprisonment for not more than thirty days; for a second offence to a penalty of not less than \$50 nor more than \$100 and in default of immediate payment to imprisonment for not less than one month nor more than two months, and for a third or subsequent offence, to imprisonment for not less than three months nor more than six months without the option of a fine.

Rev. Stat.,  
c. 257, s. 104,  
amended.

**11.** Section 104 of *The Liquor Control Act* is amended by adding thereto the following subsection:

Increased  
penalties in  
certain  
cases.

- (3) Where any person charged with an offence against any of the provisions of this Act, is found in possession of liquor purchased in accordance with the provisions of this Act, which liquor exceeds the sum of \$50 in value, or where such person is found in possession of any liquor not purchased in accordance with the provisions of this Act, the justice making the conviction shall in addition to any other penalty prescribed, impose on such person a sentence of not less than one month nor more than three months' imprisonment unless such person establishes, to the satisfaction of the justice, the circumstances under which such liquor was obtained, the person from whom such liquor was so obtained and the manner in which it came into the possession of the person so charged.

Rev. Stat.,  
c. 257, s. 113,  
repealed.

**12.** Section 113 of *The Liquor Control Act* is repealed and the following substituted therefor:

Impounding  
and forfei-  
ture of  
vehicles, etc.

- 113.—(1) Where liquor is found by any provincial police inspector, constable or other officer on any premises



or in any place or in any vehicle, motor car, automobile, vessel, boat, canoe or conveyance of any description and in such quantities as to satisfy the inspector, constable or officer that such liquor is being had or kept contrary to the provisions of this Act, it shall be lawful for the inspector, constable or officer to forthwith seize and remove by force, if necessary, any liquor so found and the packages in which the liquor was had or kept, together with any vehicle, motor car, automobile, vessel, boat, canoe or conveyance containing such liquor.

- (2) Where liquor and any vehicle, motor car, automobile, vessel, boat, canoe or other conveyance containing liquor has been seized by an inspector, constable or officer under any of the provisions of this Act, under such circumstances that the inspector or constable is satisfied that such liquor was had or kept contrary to any of the provisions of this Act, he shall under the provisions of this section retain such liquor and the packages in which the same was had or kept, together with such vehicle, motor car, automobile, vessel, boat, canoe or other conveyance. <sup>Duty of officer.</sup>
- (3) If within thirty days from the date of the seizure no person by notice in writing filed with the Board, claims to be the owner of the liquor and the vehicle, motor car, automobile, vessel, boat, canoe or other conveyance containing such liquor, the liquor and all packages containing the same, together with such vehicle, motor car, automobile, vessel, boat, canoe or other conveyance containing such liquor shall *ipso facto* be forfeited to His Majesty in the right of the Province and shall forthwith be delivered to the Board. <sup>Forfeiture.</sup>
- (4) If within the said time any claimant appears, it shall be incumbent upon him within that time and after three days' notice in writing filed with the Board stating the time and place fixed for the hearing, to prove his claim and his right under the provisions of this Act to the possession of such liquor and packages to the satisfaction of any justice, and on failure within that time to prove and establish his claim and right, the liquor and packages and the vehicle, motor car, automobile, vessel, boat, canoe or other conveyance in which such liquor was found shall *ipso facto* be forfeited to His Majesty in the right of the Province. <sup>Onus on claimant.</sup>

**13.** Subsection 2 of section 139 of *The Liquor Control Act* is amended by adding thereto the following clause: <sup>Rev. Stat., c. 257, s. 139, subs. 2, amended.</sup>

Practice  
on appeals.

- (b) Except so far as otherwise provided by this Act the Consolidated Rules of Practice and Procedure of the Supreme Court of Ontario relating to appeals to the Appellate Division of the Supreme Court of Ontario shall apply to appeals under this section.

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Third block of faint, illegible text, continuing the content.

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Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Liquor Control Act.

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*1st Reading*

March 18th, 1929.

*2nd Reading*

March 21st, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to consolidate and amend The Soldiers' Aid Commission Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Soldiers' Aid Commission Act, 1929.* Short title.

**2.** The Soldiers' Aid Commission established by Order-in-Council dated the 10th day of November, A.D. 1915, and set out in schedule "A," which order was confirmed by section 2 of the Act passed in the sixth year of His Majesty's reign, chaptered 3, is continued and constituted a body corporate and politic under the name of the "Soldiers' Aid Commission," hereinafter called the "Commission," with power to buy, sell, lease, hold or otherwise deal in real property for the purposes of the Commission. Soldiers' Aid Commission continued.

**3.—(1)** A conveyance, document or other instrument executed under the hand of the chairman and the supervising commissioner and the seal of the Commission, shall be deemed sufficiently executed to bind the Commission for all purposes. Execution of conveyances by corporation.

(2) Every conveyance, document or instrument heretofore signed, or purporting to have been signed, on behalf of the Commission by the chairman and the secretary thereof, or by the chairman and any other member of the Commission, or by the chairman and any officer of the Commission duly appointed, or by any member of the Commission and any officer of the Commission duly appointed, shall be deemed to be and to have been executed by the Commission and is hereby validated and confirmed, and every such conveyance, document or instrument so executed is declared and shall be deemed to have and to have had the effect of vesting in any person named therein such right, title and interest of the Commission as the conveyance, document or instrument conveys or transfers, or purports to convey or transfer to him in the land therein described. Sufficiency of execution.

Powers of  
Commission.

4.—(1) Notwithstanding anything in the said Order-in-Council of the 10th day of November, 1915, contained, the Commission may exercise the like powers with respect to, and may grant the same assistance to members of His Majesty's Imperial Forces or the forces of any of the Allies who, as Reservists, and while resident in Canada, were called upon to serve in the Imperial Forces or the forces of any of the Allies, or who left Canada for the purpose of enlisting and did enlist in the Imperial Forces or the forces of any of the Allies to serve therein during the late war with Germany, as the Commission may grant to members of the Canadian Expeditionary Forces under the terms of the Order-in-Council of the 10th day of November, 1915, and the like assistance may be granted to any person who, after enlistment in Canada for service in the said war, and before going overseas, has been discharged on account of wounds, injury or disease incurred or contracted while on active service. 1916, c. 3, s. 4. *Amended.*

Extent of  
powers of  
Commission.

(2) Notwithstanding anything in the said Order-in-Council dated the 10th day of November, 1915, the Commission shall have and may exercise the like powers and perform the like services with respect to any of the classes of persons mentioned in section 4 who have returned to Ontario since the war as it may with respect to those who returned during the war.

Adding  
members to  
Commission.

5. The Lieutenant-Governor in Council may add such persons from time to time as members of the Commission as he may deem advisable, or may appoint a member in place of any member dying or retiring or becoming incapable of acting. 1916, c. 3, s. 5. *Amended.*

Branches,  
office staff,  
appoint-  
ment of.

6. The Commission may establish or arrange for the establishment of branches of the Commission in the various municipalities in the Province and appoint a supervising commissioner and such officers, clerks, servants and agents as may be deemed necessary and expedient for carrying out the work of the Commission, and the salaries, wages, fees or other remuneration payable to such officers, clerks, servants and agents, and all other costs, charges and expenses incurred by the Commission shall be payable out of such moneys as may be appropriated from time to time by the Legislature for the purposes of the Commission. 1916, c. 3, s. 6. *Amended.*

Commission  
authorized  
to receive  
and admin-  
ister gifts,  
etc.

7.—(1) The Commission has and shall be deemed to have had since the date of its establishment, power to receive, administer and dispose of gifts, devises and bequests for the benefit of persons belonging to any of the classes mentioned in section 4, or for the benefit, as a class, of the wives, widows, children and dependent relatives of any such person belonging to any of the classes mentioned in section 4, and, without limiting the generality of the foregoing, shall be deemed to

include the right to receive, hold, administer and dispose of lands so devised.

(2) Where by the will of any person dying before or after the passing of this Act, a devise or bequest is made to or for the benefit of any class of persons mentioned in section 4, or for any object within the powers of the Commission, or for any like purpose, and such will does not specify the particular person, society or institution that is to receive such devise or bequest, or if such devise or bequest is or may be held to be void for uncertainty as to the persons entitled to receive the same, or as to the object to which the same may be applied, then in any such case the Commission shall be the beneficiary and shall be entitled to receive, administer and dispose of the same in such manner as the Commission may deem expedient. 1917, c. 27, s. 60, *part*; 1919, c. 25, s. 34 (1).

(a) This subsection shall apply and take effect notwithstanding that by the terms of any such will the executor or trustee thereunder is directed to distribute such devise or bequest in the discretion of such executor or trustee. 1919, c. 25, s. 34 (2).

8. The Commission may acquire lands by purchase or expropriation or otherwise for the purposes of a cemetery for the burial of persons belonging to any of the classes mentioned in section 4 and with respect to such cemetery shall possess all the powers of an owner of a cemetery under *The Cemetery Act*. 1917, c. 27, s. 60. *Part*.

9. The Commission has and shall be deemed to have had since the date of its establishment, power to grant assistance, financial or otherwise, to the widows of the classes mentioned in section 4 of *The Soldiers' Aid Commission Act*, being chapter 3 of the Acts passed in the sixth year of His Majesty's reign, who have remained unmarried or who have remarried and in the opinion of the Commission need help, and all such assistance, financial or otherwise heretofore given by the Commission is declared to be legal and valid for all intents and purposes. 1922, c. 40, s. 2. *Amended*.

10. With respect to the child of any person who has served with His Majesty's forces or the forces of any of the Allies of His Majesty in the late war, the Commission shall have and may exercise and perform all the rights, powers and duties of a children's aid society as provided by *The Children's Protection Act*. 1920, c. 29, s. 2.

11. The Commission may establish children's shelters or homes for children coming under its care by virtue of this Act and may apply any of the funds of the Commission for such purpose. 1920, c. 29, s. 3.

Agreement to accept custody of child.

**12.** The Commission may enter into an agreement with any person who served with His Majesty's forces or the forces of any of the Allies of His Majesty in the late war with Germany, or who was the wife or husband of a person so serving before the cessation of hostilities, whereby the Commission may accept the custody of any child or children of such applicant upon being satisfied that the circumstances of the applicant are such that the applicant is unable to properly maintain and care for such child or children. 1920, c. 29, s. 4.

Services to be honorary.

**13.** The members of the Commission shall serve without remuneration, but may be paid their travelling expenses and other necessary disbursements as part of the expenses of the Commission, and the receiving of such expenses and disbursements by any member of the Commission shall not render him ineligible as a member of the Assembly, nor disqualify nor render him liable to any penalty for sitting and voting therein, anything in *The Legislative Assembly Act* to the contrary notwithstanding. 1916, c. 3, s. 8.

Arrangements for technical instruction for incapacitated soldiers.

**14.** The Commission acting as a Central Provincial Committee and a branch sub-committee of The Military Hospitals Commission, may enter into arrangements with the Department of Education of Ontario, or with any educational authority or institution, for providing instruction of any kind, including technical and industrial instruction for those of the classes of persons mentioned in section 4 who, as a result of wounds, disease or other injury sustained during the period of enlistment, are unable to pursue their former calling or occupation, and for such other training, instruction and assistance as the Commission may deem advisable. 1916, c. 3, s. 9. *Amended.*

Further powers and duties may be conferred and imposed.

**15.** The Lieutenant-Governor in Council may confer such further powers and impose such further duties upon the Commission with respect to soldiers who have returned to Ontario since the war, with a view to securing their well-being, as may be deemed advisable. 1916, c. 3, s. 10. *Amended.*

Repeal.

**16.** The Acts and parts of Acts set out in schedule "B" to this Act are hereby repealed.

Commencement of Act.

**17.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A."

Copy of an Order-in-Council approved by His Honour the Lieutenant-Governor the 10th day of November, A.D. 1915.

Upon the recommendation of the Honourable the Provincial Secretary, the Committee of Council advise that a Commission be issued appointing William David McPherson, K.C., M.L.A., and John B. Laidlaw, Robert J. Christie and William Banks, Esquires, Toronto; the Honourable George Gordon, North Bay; Senator Kenneth W. McKay, St. Thomas, County Clerk; William F. Nickle, K.C., M.P., Kingston; George Lynch Staunton, K.C., Hamilton; Ernest G. Henderson, Windsor, Esquire, and W. L. Best, Ottawa, Esquire, Commissioners to constitute a Central Provincial Committee and a Branch Sub-Committee of The Military Hospitals Commission to take care of and to find employment for members of the Canadian Expeditionary Force who return to Canada during the period of the war, and to assist, advise and co-operate with the said The Military Hospitals Commission, and with all Provincial or local committees or organizations to attain the aforesaid objects, and to do all things which may be incidental and ancillary to the foregoing; and the said William David McPherson to be *ex officio* a Member of the said The Military Hospitals Commission, and to be Chairman of the said Commission, and Charles Norris Cochrane, Toronto, Esquire, to be Secretary thereof.

(Sgd.) J. LONSDALE CAPREOL,  
Clerk, Executive Council.

Certified.

1916, c. 3, sched. "A."

## SCHEDULE "B."

## SCHEDULE OF REPEALED ACTS.

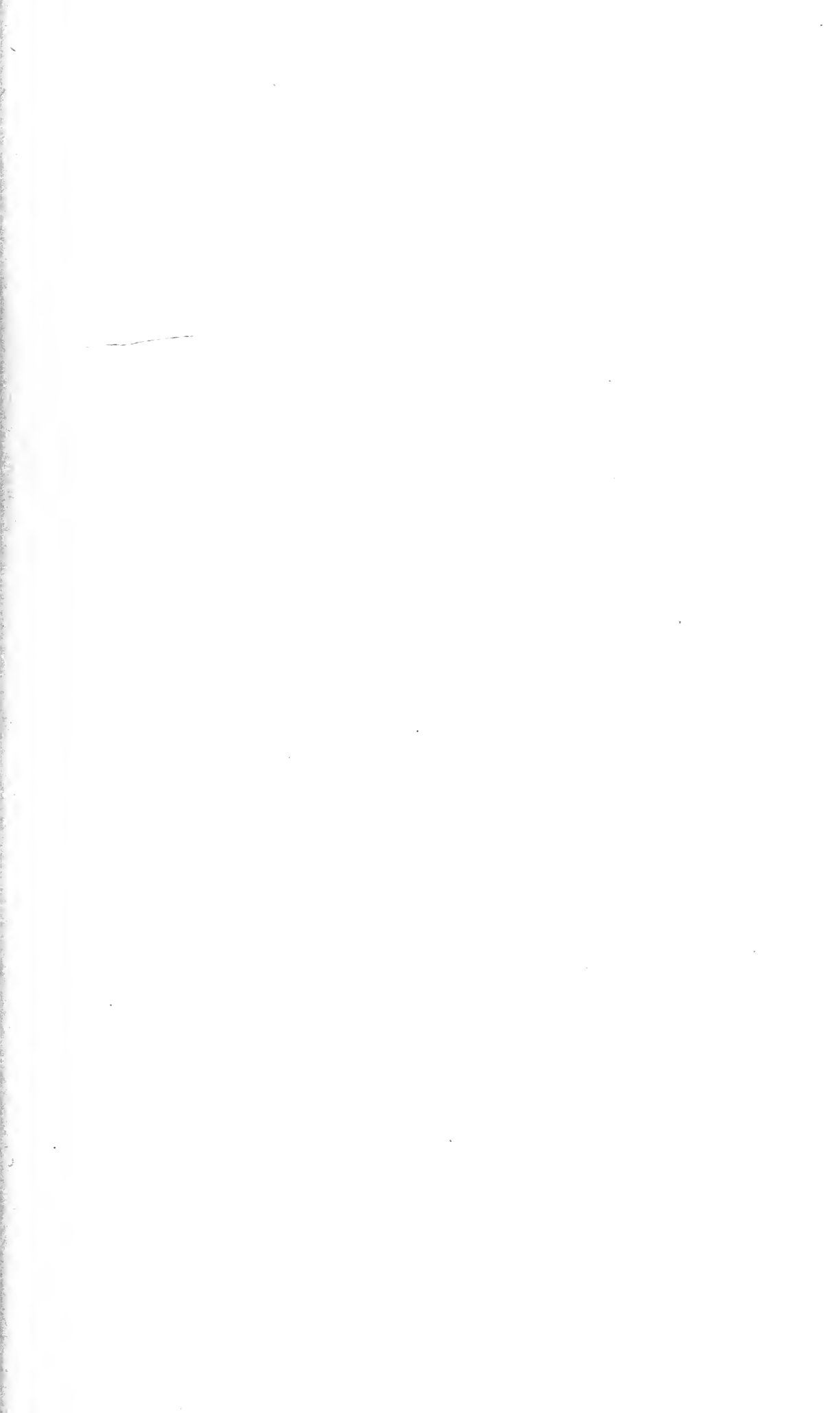
*The Soldiers' Aid Commission Act* (1916, chapter 3), sections 1, 4, 5, 6, 8, 9 and 10, and Schedule.

*The Statute Law Amendment Act, 1917* (1917, chapter 27), section 60.

*The Statute Law Amendment Act, 1919* (1919, chapter 25), section 34.

*The Soldiers' Children's Protection Act, 1920* (1920, chapter 29), The Whole.





Ontario.  
19 George V, 1929.

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BILL.

An Act to consolidate and amend  
The Soldiers' Aid Commission Act.

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*1st Reading*

March 18th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to consolidate and amend The Soldiers' Aid Commission Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Soldiers' Aid Commission Act, 1929.* Short title.

**2.** The Soldiers' Aid Commission established by Order-in-Council dated the 10th day of November, A.D. 1915, and set out in schedule "A," which order was confirmed by section 2 of the Act passed in the sixth year of His Majesty's reign, chaptered 3, is continued and constituted a body corporate and politic under the name of the "Soldiers' Aid Commission," hereinafter called the "Commission," with power to buy, sell, lease, hold or otherwise deal in real property for the purposes of the Commission. Soldiers' Aid Commission continued.

**3.—(1)** A conveyance, document or other instrument executed under the hand of the chairman and the supervising commissioner and the seal of the Commission, shall be deemed sufficiently executed to bind the Commission for all purposes. Execution of conveyances by corporation.

**(2)** Every conveyance, document or instrument heretofore signed, or purporting to have been signed, on behalf of the Commission by the chairman and the secretary thereof, or by the chairman and any other member of the Commission, or by the chairman and any officer of the Commission duly appointed, or by any member of the Commission and any officer of the Commission duly appointed, shall be deemed to be and to have been executed by the Commission and is hereby validated and confirmed, and every such conveyance, document or instrument so executed is declared and shall be deemed to have and to have had the effect of vesting in any person named therein such right, title and interest of the Commission as the conveyance, document or instrument conveys or transfers, or purports to convey or transfer to him in the land therein described. Sufficiency of execution.

Powers of  
Commission.

4.—(1) Notwithstanding anything in the said Order-in-Council of the 10th day of November, 1915, contained, the Commission may exercise the like powers with respect to, and may grant the same assistance to members of His Majesty's Imperial Forces or the forces of any of the Allies who, as Reservists, and while resident in Canada, were called upon to serve in the Imperial Forces or the forces of any of the Allies, or who left Canada for the purpose of enlisting and did enlist in the Imperial Forces or the forces of any of the Allies, to serve therein during the late war with Germany, as the Commission may grant to members of the Canadian Expeditionary Forces under the terms of the Order-in-Council of the 10th day of November, 1915, and the like assistance may be granted to any person who, after enlistment in Canada for service in the said war, and before going overseas, has been discharged on account of wounds, injury or disease incurred or contracted while on active service. 1916, c. 3, s. 4. *Amended.*

Extent of  
powers of  
Commission.

(2) Notwithstanding anything in the said Order-in-Council dated the 10th day of November, 1915, the Commission shall have and may exercise the like powers and perform the like services with respect to any of the classes of persons mentioned in section 4 who have returned to Ontario since the war as it may with respect to those who returned during the war.

Adding  
members to  
Commission.

5. The Lieutenant-Governor in Council may add such persons from time to time as members of the Commission as he may deem advisable, or may appoint a member in place of any member dying or retiring or becoming incapable of acting. 1916, c. 3, s. 5. *Amended.*

Branches,  
office staff,  
appoint-  
ment of.

6. The Commission may establish or arrange for the establishment of branches of the Commission in the various municipalities in the Province and appoint a supervising commissioner and such officers, clerks, servants and agents as may be deemed necessary and expedient for carrying out the work of the Commission, and the salaries, wages, fees or other remuneration payable to such officers, clerks, servants and agents, and all other costs, charges and expenses incurred by the Commission shall be payable out of such moneys as may be appropriated from time to time by the Legislature for the purposes of the Commission. 1916, c. 3, s. 6. *Amended.*

Commission  
authorized  
to receive  
and admin-  
ister gifts,  
etc.

7.—(1) The Commission has and shall be deemed to have had since the date of its establishment, power to receive, administer and dispose of gifts, devises and bequests for the benefit of persons belonging to any of the classes mentioned in section 4, or for the benefit, as a class, of the wives, widows, children and dependent relatives of any such person belonging to any of the classes mentioned in section 4, and, without limiting the generality of the foregoing, shall be deemed to

include the right to receive, hold, administer and dispose of lands so devised.

(2) Where by the will of any person dying before or after the passing of this Act, a devise or bequest is made to or for the benefit of any class of persons mentioned in section 4, or for any object within the powers of the Commission, or for any like purpose, and such will does not specify the particular person, society or institution that is to receive such devise or bequest, or if such devise or bequest is or may be held to be void for uncertainty as to the persons entitled to receive the same, or as to the object to which the same may be applied, then in any such case the Commission shall be the beneficiary and shall be entitled to receive, administer and dispose of the same in such manner as the Commission may deem expedient. 1917, c. 27, s. 60, *part*; 1919, c. 25, s. 34 (1).

Where bequest would otherwise be void for uncertainty.

(a) This subsection shall apply and take effect notwithstanding that by the terms of any such will the executor or trustee thereunder is directed to distribute such devise or bequest in the discretion of such executor or trustee. 1919, c. 25, s. 34 (2).

8. The Commission may acquire lands by purchase or expropriation or otherwise for the purposes of a cemetery for the burial of persons belonging to any of the classes mentioned in section 4 and with respect to such cemetery shall possess all the powers of an owner of a cemetery under *The Cemetery Act*. 1917, c. 27, s. 60. *Part*.

Acquiring lands for cemetery purposes.

9. The Commission has and shall be deemed to have had since the date of its establishment, power to grant assistance, financial or otherwise, to the widows of the classes mentioned in section 4 of *The Soldiers' Aid Commission Act*, being chapter 3 of the Acts passed in the sixth year of His Majesty's reign, who have remained unmarried or who have remarried and in the opinion of the Commission need help, and all such assistance, financial or otherwise heretofore given by the Commission is declared to be legal and valid for all intents and purposes. 1922, c. 40, s. 2. *Amended*.

Aid to widows.

10. With respect to the child of any person who has served with His Majesty's forces or the forces of any of the Allies of His Majesty in the late war, the Commission shall have and may exercise and perform all the rights, powers and duties of a children's aid society as provided by *The Children's Protection Act*. 1920, c. 29, s. 2.

Powers of Commission as to children of soldiers.

11. The Commission may establish children's shelters or homes for children coming under its care by virtue of this Act and may apply any of the funds of the Commission for such purpose. 1920, c. 29, s. 3.

Establishing children's shelters.

Agreement  
to accept  
custody of  
child.

**12.** The Commission may enter into an agreement with any person who served with His Majesty's forces or the forces of any of the Allies of His Majesty in the late war with Germany, or who was the wife or husband of a person so serving before the cessation of hostilities, whereby the Commission may accept the custody of any child or children of such applicant upon being satisfied that the circumstances of the applicant are such that the applicant is unable to properly maintain and care for such child or children. 1920, c. 29, s. 4.

Services  
to be  
honourary.

**13.** The members of the Commission shall serve without remuneration, but may be paid their travelling expenses and other necessary disbursements as part of the expenses of the Commission, and the receiving of such expenses and disbursements by any member of the Commission shall not render him ineligible as a member of the Assembly, nor disqualify nor render him liable to any penalty for sitting and voting therein, anything in *The Legislative Assembly Act* to the contrary notwithstanding. 1916, c. 3, s. 8.

Arrange-  
ments for  
technical  
instruction  
for incapa-  
citated  
soldiers.

**14.** The Commission acting as a Central Provincial Committee and a branch sub-committee of The Military Hospitals Commission, may enter into arrangements with the Department of Education of Ontario, or with any educational authority or institution, for providing instruction of any kind, including technical and industrial instruction for those of the classes of persons mentioned in section 4 who, as a result of wounds, disease or other injury sustained during the period of enlistment, are unable to pursue their former calling or occupation, and for such other training, instruction and assistance as the Commission may deem advisable. 1916, c. 3, s. 9. *Amended.*

Further  
powers and  
duties may  
be conferred  
and  
imposed.

**15.** The Lieutenant-Governor in Council may confer such further powers and impose such further duties upon the Commission with respect to soldiers who have returned to Ontario since the war, with a view to securing their well-being, as may be deemed advisable. 1916, c. 3, s. 10. *Amended.*

Repeal.

**16.** The Acts and parts of Acts set out in schedule "B" to this Act are hereby repealed.

Commence-  
ment of Act.

**17.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A."

Copy of an Order-in-Council approved by His Honour the Lieutenant-Governor the 10th day of November, A.D. 1915.

Upon the recommendation of the Honourable the Provincial Secretary, the Committee of Council advise that a Commission be issued appointing William David McPherson, K.C., M.L.A., and John B. Laidlaw, Robert J. Christie and William Banks, Esquires, Toronto; the Honourable George Gordon, North-Bay; Senator Kenneth W. McKay, St. Thomas, County Clerk; William F. Nickle, K.C., M.P., Kingston; George Lynch Staunton, K.C., Hamilton; Ernest G. Henderson, Windsor, Esquire, and W. L. Best, Ottawa, Esquire, Commissioners to constitute a Central Provincial Committee and a Branch Sub-Committee of The Military Hospitals Commission to take care of and to find employment for members of the Canadian Expeditionary Force who return to Canada during the period of the war, and to assist, advise and co-operate with the said The Military Hospitals Commission, and with all Provincial or local committees or organizations to attain the aforesaid objects, and to do all things which may be incidental and ancillary to the foregoing; and the said William David McPherson to be *ex officio* a Member of the said The Military Hospitals Commission, and to be Chairman of the said Commission, and Charles Norris Cochrane, Toronto, Esquire, to be Secretary thereof.

(Sgd.) J. LONSDALE CAPREOL,  
Clerk, Executive Council.

Certified.

1916, c. 3, sched. "A."

## SCHEDULE "B."

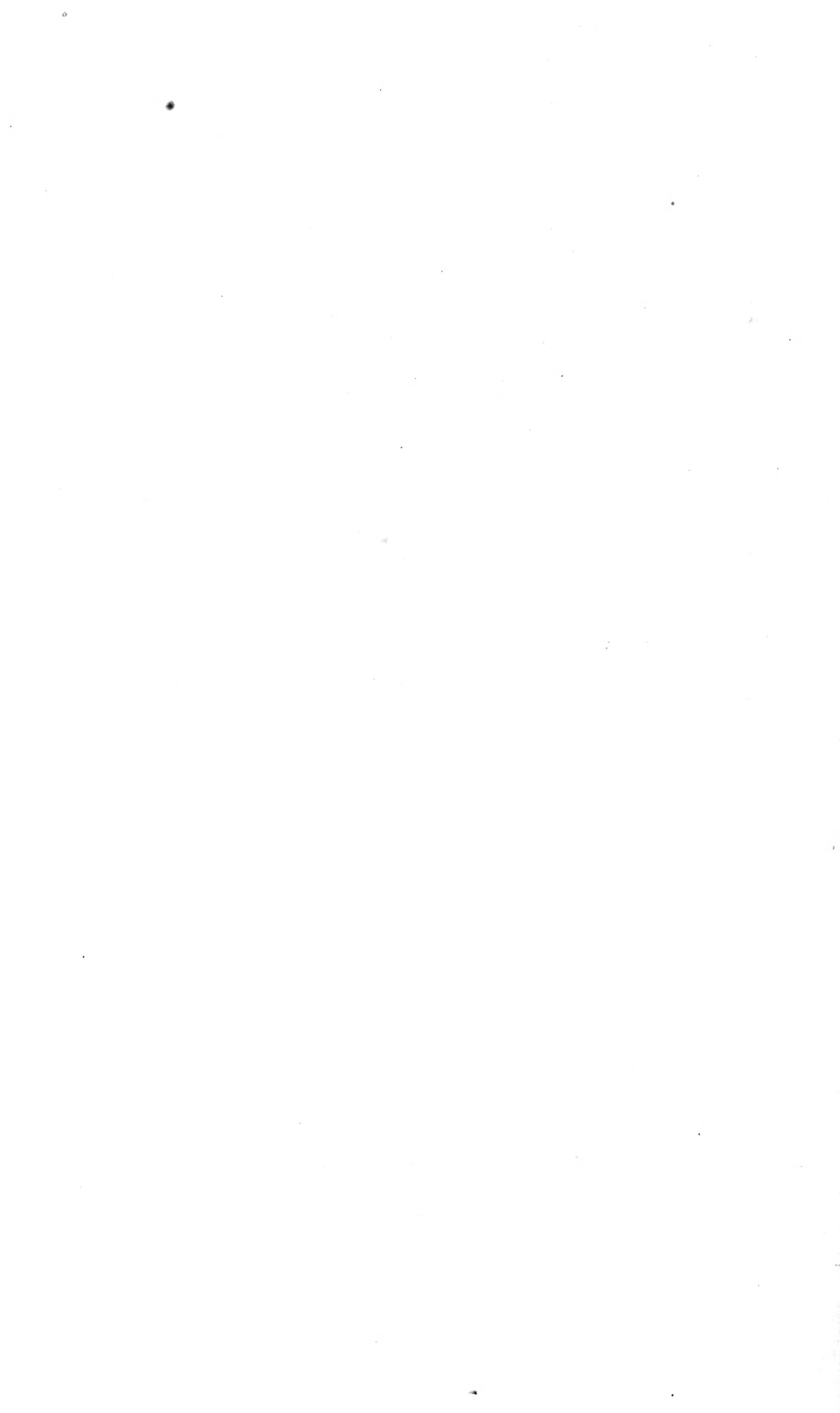
## SCHEDULE OF REPEALED ACTS.

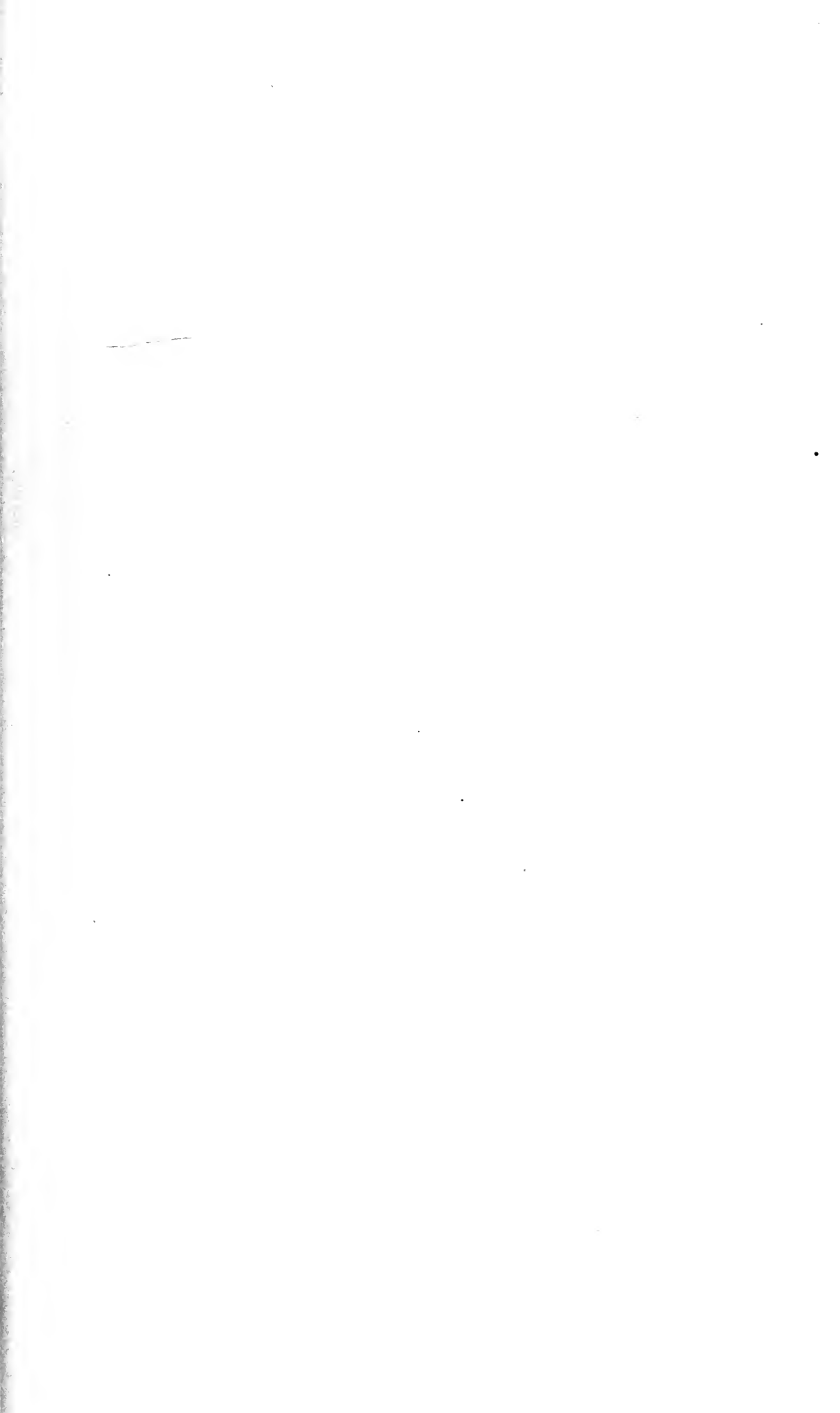
*The Soldiers' Aid Commission Act* (1916, chapter 3), sections 1, 4, 5, 6, 8, 9 and 10, and Schedule.

*The Statute Law Amendment Act, 1917* (1917, chapter 27), section 60.

*The Statute Law Amendment Act, 1919* (1919, chapter 25), section 34.

*The Soldiers' Children's Protection Act, 1920* (1920, chapter 29), The Whole.





Ontario.  
19 George V, 1929.

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BILL.

An Act to consolidate and amend  
The Soldiers' Aid Commission Act.

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*1st Reading*

March 18th, 1929.

*2nd Reading*

March 21st, 1929.

*3rd Reading*

March 26th, 1929.

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MR. PRICE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Hotels.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Hotels Act, 1929*. Short title.

### *Preliminary*

2. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commence-  
ment of  
Act.

3. The following Acts and parts of Acts are hereby repealed: Repeal.

*The Liquor Control Act*, R.S.O. 1927, chapter 257, sections 140 and 141.

*The Prevention of Accidents by Fire in Hotels Act*, R.S.O. 1927, chapter 286.

*The Standard Hotel Registration of Guests Act*, R.S.O. 1927, chapter 258.

*The Innkeepers Act*, R.S.O. 1927, chapter 210.

4. The penalties which may be imposed under this Act or under the regulations made under the authority of this Act shall be recoverable under *The Summary Convictions Act*. Recovery of  
penalties.  
Rev. Stat.,  
c. 121.

5. In this Act,— Inter-  
pretation.

- (a) "Hotel" shall mean a separate building or two or more connected buildings used mainly for the purpose of catering to the needs of the travelling public by the supply of food and also by the furnishing of sleeping accommodation of not less than six bedrooms as distinguished from any other building or connected buildings used mainly for the purpose "Hotel."

of supplying food and lodging by the week or otherwise commonly known as "boarding houses" or of furnishing living quarters for families and having a dining-room or restaurant commonly known as "apartment houses" or "private hotels";

- "Hotel keeper." (b) "Hotelkeeper" shall include the owner or lessee of a hotel and the manager, superintendent or any other person having charge of and carrying on the business of a hotel;
- "Inspector." (c) "Inspector" shall mean and include any officer designated or appointed by the Liquor Control Board or by the Lieutenant-Governor in Council for the purpose of seeing that the provisions of this Act and of the regulations made thereunder are duly complied with;
- "Licensing authority." (d) "Licensing authority" shall mean that member of the Executive Council, a commission, board or other body constituted under any other Act, or any commission or board designated or constituted by the Lieutenant-Governor in Council for the administration of this Act.

### *Hotel Licenses*

- Hotel licenses,— issue of. **6.** Subject to the regulations and to the provisions of this section and sections 7 to 10 the licensing authority may issue to a person carrying on the business of a hotel, upon payment of the prescribed fee and upon compliance with the conditions prescribed by the regulations to this Act a license to carry on such business.
- Term of license. **7.** Every such license shall continue in force until the 31st day of May next following the date of the issue thereof and may be renewed annually thereafter upon payment of the prescribed fee.
- Submission of plans. **8.** No license shall be issued for a hotel unless and until the plans of the hotel, in such form as may be prescribed by the regulations, have been submitted to and approved by the licensing authority, nor until any structure or alterations in, or additions to the premises directed by the licensing authority have been certified by the inspector in writing to have been completed.
- Rights of license holder. **9.** The holder of a license issued under this section and sections 7 to 10 shall be entitled to sell all non-intoxicating drinks and beverages, cigars, cigarettes and tobacco, and to

conduct an ice cream or general restaurant or cafe without further municipal or other license.

**10.** Every hotelkeeper who carries on the business of a hotel unless and until he has procured a license under the provisions of this Part shall incur a penalty of not less than \$..... nor more than \$..... for a first offence and for a subsequent offence a penalty of \$..... and after a second offence he shall be deemed incapable of holding a license under this Act. Penalty for operating without license.

*Registration*

**11.** Every licensee, owner, manager or other person in charge of a hotel shall keep in such hotel a register in which shall be entered the name and usual place of residence of every person admitted as a guest in such hotel and occupying a room therein alone or with any other person, together with the number of the room so occupied. Register.

**12.—(1)** Any such licensee, owner or manager of a hotel who neglects to keep such register or to see that the particulars required by section 11 are entered therein, or who knowingly and wilfully permits any untrue statement as to the name or place of residence of the guest to be entered in the register shall be guilty of an offence and shall incur a penalty of not less than \$10 nor more than \$50 and in default of payment may be imprisoned for a period not exceeding three months. Penalty for neglect to keep register.

(2) In addition to any other penalty, where the person committing such an offence is the licensee, or any person acting for him or with his knowledge, the license to keep the hotel shall upon conviction of the offender, be deemed to be forfeited. Forfeiture of license.

(3) Every hotel as defined by this Act and the register cards and other documents required to be kept by this Act, shall at all times be open to inspection by an inspector or any other officer designated for such purpose by the licensing authority. Inspection of hotels.

**13.** A person who applies for admission as a guest in any hotel and who registers under or represents himself as bearing some other name than his own, or who in registering or procuring admission to a hotel, makes any false statement as to his ordinary place of residence, shall incur a penalty of not less than \$20, nor more than \$200, and in default of payment may be imprisoned for a period not exceeding three months. False registration.

**14.** Every male person who procures or attempts to procure or authorizes or permits any other person to procure Penalty for false registration as man and wife.

lodgings in a hotel for himself and any woman who he falsely holds out to be his wife, or of whom he falsely holds himself out or permits himself to be represented as the husband, and every such woman shall be guilty of an offence and shall incur a penalty of not less than \$100 nor more than \$500 and in default of payment may be imprisoned for a period not exceeding three months.

*Prevention of Accidents by Fire*

Outside  
stairway  
or ladder.

**15.**—(1) Every hotel exceeding two storeys in height shall have permanent outside iron stairways or ladders and balconies as defined in section 16 from each landing or floor above the first or ground floor, of such number, design, construction and location as shall be deemed necessary by the inspector in charge of the district in which such hotel is located, and at least one such stairway or ladder shall be required in every case.

(2) Such stairway or ladder shall be securely attached to the building, shall have sufficient strength to sustain a weight of at least one thousand pounds per ten feet of vertical height of the stairway or ladder measured from its lowest point, and shall extend to at least within six feet of the ground.

(3) A standard enclosed fireproof and smokeproof stairway within the building, constructed to the satisfaction of the inspector in charge of the district in which the building is located, shall be deemed to be the equivalent of such stairway or ladder.

Balcony.

**16.**—(1) A balcony of iron construction shall be erected outside each door, window or other exit leading from each floor above the first or ground floor, to an outside stairway or ladder of such design, construction and location as shall be deemed necessary by the inspector in charge of the district in which such hotel is located.

Balcony  
floor.

(2) A balcony floor shall be not more than three inches lower than the bottom of the door or window in cases where the door or window opening on to the balcony extends to or within one foot of the floor level, but in other cases a balcony floor shall be not less than ten inches nor more than fifteen inches below the bottom of such outlet.

Access  
to stair or  
ladder.

**17.**—(1) Access to such stairway or ladder shall be unobstructed and shall not be through a room used as a bedroom, bathroom or for any other purpose that obstructs free passage, nor shall such access be veiled from open view by ornamentation, curtains or any other thing.



(2) Doors or windows at such balconies shall be hinged so as to open outward in such a manner that they will not interfere with the exit flow of traffic, and so that they will in their opened position leave the full width of the balcony free for use. Doors and windows to be hinged.

(3) All exterior doors other than rotary or rotating doors on the ground floor shall be hinged to open outwards. Exterior doors.

**18.**—(1) Where electric light is available a red light shall be kept burning during the night at each immediate point of exit to any outside stairway or ladder or other emergency means of escape, and all exits shall be marked with the word "Exit" in letters not less than six inches high, and no other red light shall be used within the premises. Indication of exits.

(2) Placards at least eight inches in height and printed in letters at least two inches high stating that the exits by stairway or outside fire escapes are at the red lights and indicating the direction shall be displayed in prominent locations, including the office where the register is kept, and at each landing of each stairway used by the public. Placards to be displayed.

(3) A notice shall be posted up in the office and each sleeping apartment or bedroom calling attention to the fire escapes and containing full directions for the use of the same, as well as a statement explaining the situation of outside stairways or ladders and the means of access to the same. Notice to be posted in each sleeping apartment.

**19.** It shall be the duty of the owner of the hotel to erect and maintain such stairways or ladders as may be required under this Act and it shall be the duty of the keeper or proprietor of the hotel to keep the way or passage to the stairway or ladder at all times unobstructed and free of access. Duty as to stairways.

**20.**—(1) Every hotel shall provide in every sleeping apartment or bedroom above the first or ground floor a rope not less than seven-eighths of an inch in thickness, of sufficient length to reach from its fastening through a window of the room to the ground, and such rope shall be firmly secured to a safe fastening at the side of the window at least two feet above the sill, and every bedroom window shall be so arranged that it may be opened with ease and conveniently secured in an open position. Ropes.

(2) Ropes shall be kept coiled or looped in a convenient position so that they can be promptly extended to the ground without any delay. Position of ropes.

(3) This section shall not apply to any hotel of two or more storeys in height constructed in the manner commonly Exceptions.

known as fireproof construction unless in the opinion of the inspector in charge of the district in which the hotel is located, the arrangements of fire escapes, ladders, outside stairways and other precautions in case of fire are insufficient and written notice thereof is given to the hotel by such inspector or by the board.

Night watchman—  
employ-  
ment of.

**21.** The keeper of any hotel containing fifty or more bedrooms furnished for use, shall employ a night watchman who shall be on duty from ten o'clock each night until six o'clock on the following morning.

Penalty.

**22.**—(1) If an owner, lessee, keeper or proprietor of any hotel neglects to observe any of the provisions of sections 15 to 26 or of any regulations made under this Act he shall incur a penalty for each offence of not less than \$20 nor more than \$200.

(2) A conviction for any such offence shall not be a bar to prosecution for a continuance of such neglect subsequent to the conviction, but such continuance shall constitute a new and separate offence.

Enforce-  
ment of Act.

**23.** It shall be the duty of all inspectors and other qualified officers to take all necessary proceedings to enforce this Act.

Municipal  
by-law not  
affected.

**24.** Nothing in this Act shall affect any by-laws relating to the matters mentioned herein and lawfully passed by a municipal council, or the authority of a municipal council to pass any such by-laws so far as such by-laws impose additional or more stringent requirements than those imposed by this Act.

Refusal  
of permit  
until certain  
requirements  
complied  
with.

**25.**—(1) No hotel license nor beverage permit shall be granted to any hotel as defined in section 5, until a certificate is furnished by the inspector certifying that the requirements of sections 15 to 26 have been complied with.

(2) The granting or refusal of such a certificate by the inspector shall be subject to review by the licensing authority.

Onus in  
case of  
accident.

**26.** Where by any statute or municipal by-law or by any regulation made under a statute or by-law, the owner, proprietor, lessee, occupant, manager, or other person owning, occupying or having the control or management of a building, is required to provide fire escapes, means of exit, stairways, or other structures, or any appliance for the safety of inmates or of the public in case of fire, and it is shown in any action brought against such person to recover damages for death or injury occasioned by fire in such building, that such require-

ments or any of them have not been complied with at the time of the fire, it shall be presumed, in the absence of evidence to the contrary, that such non-compliance was the cause of the death or injury.

*Rights and Liabilities of Hotelkeepers*

**27.** In this and the following sections the term "hotel" in addition to its meaning as defined in section 5 of this Act shall extend to and include any place of refreshment the keeper of which is by law responsible for the goods and property of his guests, and "hotelkeeper" shall include the keeper of such place. "Hotel,"—  
meaning of.

**28.—(1)** Every hotelkeeper and every boarding-house keeper and lodging-house keeper shall have a lien on the baggage and property of his guest, boarder or lodger for the value or price of any food or accommodation furnished to him or on his account. Lien on  
baggage for  
accommoda-  
tion  
furnished.

(2) In addition to all other remedies provided by law he shall have the right, in case the same remains unpaid for three months, to sell by public auction the baggage and property of such guest, boarder or lodger, on giving one week's notice by advertisement in a newspaper published in the municipality in which the hotel, boarding-house or lodging-house is situate, of the intended sale. Power to  
sell baggage,  
etc.  
  
Notice  
of sale.

(3) The advertisement shall state the name of the guest, boarder or lodger, the amount of his indebtedness, the time and place of sale and the name of the auctioneer, and shall give a description of the baggage or other property to be sold. Particulars  
to be con-  
tained in  
notice of  
sale.

(4) The hotelkeeper, boarding-house keeper or lodging-house keeper may apply the proceeds of the sale in payment of the amount due to him and the costs of such advertising and sale, and shall pay over the surplus, if any, to the person entitled thereto on application being made by him therefor. Application  
of proceeds  
of sale.

(5) Every keeper of a livery stable, boarding stable or garage shall have a lien on every horse or other animal, boarded at, or vehicle (including motor vehicle) left in such livery stable, boarding stable or garage, for his reasonable charges for boarding, caring for and keeping such horse, animal or vehicle, and for the cost of any goods or merchandise supplied or services rendered in connection therewith at the request of the owner or of the person leaving such horse, other animal or vehicle in the livery stable, boarding stable or garage. Lien on  
conveyance  
and horse.

Lien on horses and conveyances and power to sell.

(6) Where a hotelkeeper, boarding-house keeper, lodging-house keeper, livery stable, boarding stable or garage keeper has a lien upon a horse or other animal or upon a vehicle for the value or price of any food or accommodation or for goods and merchandise supplied, or for care or labour bestowed thereon, he shall, in addition to all other remedies provided by law, have the right, in case the same remains unpaid for two weeks, to sell by public auction such horse or other animal or vehicle, on giving two weeks' notice by advertisement in a newspaper published in the municipality in which the hotel, boarding-house, lodging-house, livery stable, boarding stable or garage is situate, or, in case there is no newspaper published in the municipality, in a newspaper published nearest to such hotel, boarding-house, lodging-house, livery stable, boarding stable or garage, of the intended sale.

Advertisement of intended sale.

(7) The advertisement shall state the name, if known, of the person or persons who brought such horse or other animal or vehicle to the hotel, boarding-house, lodging-house, livery stable, boarding-stable or garage, the amount of the indebtedness and the name of the auctioneer, and shall give a description of the horse or other animal or vehicle.

Proceeds of sale,—application of.

(8) The hotelkeeper, the keeper of the boarding-house, lodging-house, livery stable, boarding-stable or garage may apply the proceeds of the sale in payment of the amount due to him, and the costs of such advertisement and sale and shall pay over the surplus, if any, to the person entitled thereto on application being made by him therefor.

"Accommodation,"—meaning of.

(9) "Accommodation" in this section shall include reasonable charges for the care, custody and storage of baggage or property.

Property left in storage.

(10) Property lost, or left with such hotelkeeper, lodging-house keeper or boarding-house keeper for purposes of storage and not claimed within three months by notice in writing from the person entitled thereto, shall be deemed to be baggage or property of a guest within the meaning of this section.

Limitation of hotelkeeper's liability.

**29.**—(1) No hotelkeeper shall be liable to make good to any guest of his hotel any loss of or injury to goods or property brought to the hotel to a greater amount than the sum of \$40 except,—

(a) where such goods or property shall have been stolen, lost or injured through the wilful act, default or neglect of such hotelkeeper or any servant in his employ and in such event then only to the extent of \$100;

- (b) where such goods or property shall have been deposited expressly for safe custody with such hotelkeeper and in such event then only to the extent of \$500;

Provided always that in the case of such deposit it shall be <sup>Proviso.</sup> lawful for such hotelkeeper, if he thinks fit, to require as a condition of his liability that such goods or property shall be deposited in a box or other receptacle, fastened and sealed by the person depositing the same; and provided further if a hotelkeeper refuses to receive for safe custody as mentioned in clause *b*, any goods or property of his guest, or if such guest, through any default of such hotelkeeper, is unable to deposit such goods or property the hotelkeeper shall not be entitled to the benefit of this Act in respect thereof.

(2) Notwithstanding anything in this section unless expressly deposited with the hotelkeeper for safe keeping the hotelkeeper shall not be responsible for goods or property lost, injured or stolen in a part of his hotel other than the guest room of the owner of such goods. <sup>Liability only extended to property deposited for safe keeping and in guest room.</sup>

(3) Every hotelkeeper shall cause at least one copy of this section printed in plain type to be exhibited in a conspicuous part of the hall or entrance to his hotel, and he shall be entitled to the benefit of this Act in respect of such goods or property only as shall be brought to his hotel in which such copy shall be so exhibited. <sup>Copy of section to be posted up in hotel.</sup>

**30.** The lien of a hotelkeeper, boarding-house keeper or lodging-house keeper upon the wearing apparel of any servant or labourer shall not extend to any greater sum than \$6, and on payment or tender of that sum, or of any less sum due, such wearing apparel shall be immediately given up, whatever may be the amount due by such servant or labourer. <sup>Limitation of lien on wearing apparel of servant or labourer to \$6.</sup>

**31.** Notwithstanding anything herein contained a hotelkeeper, boarding-house keeper or lodging-house keeper shall not be liable for injury to, or loss of any goods or property aforesaid caused by fire or explosion unless it shall appear that such fire or explosion was caused by the wilful act, default or neglect of the hotelkeeper, boarding-house keeper or lodging-house keeper or any servant in his employ. <sup>Liability for damage by fire.</sup>

**32.** No action shall be brought against any hotelkeeper, boarding-house keeper or lodging-house keeper by reason of any matter or thing occurring or arising in connection with the operation or maintenance of any hotel, boarding-house or lodging-house except within one year after such cause of action. <sup>Action must be brought within one year.</sup>

Regulations. **33.** The Lieutenant-Governor in Council may make regulations,—

- (a) classifying and grading hotels and prescribing and fixing the amount and kind of accommodation and the appointments and equipment, including sanitary and other conveniences, requisite for obtaining licenses for the different classes of hotels, and regulating and governing the hotels so licensed;
- (b) subject to the provisions of this Act, prescribing the materials to be used and the internal arrangements of hotels and the appliances and equipment to be kept therein and annexed thereto for the better protection of life and property from fire;
- (c) requiring security to be given by any licensee for the due observance of the provisions of *The Liquor Control Act* (Ontario) and for compliance with the regulations and the provisions of this Act for securing the safety of life and property in the hotel and for preventing the use of the premises or any part thereof for improper purposes and for fixing the amount of such security;
- (d) fixing the license fee for each class of hotels and for the transfer of the license;
- (e) respecting the suspension or revocation of licenses and the causes therefor;
- (f) prescribing the conditions governing the issue and renewal and transfer of licenses and the form of licenses and transfers;
- (g) defining what shall constitute a "room" upon the hotel premises and extending the meaning of the term to include tents, camps or other temporary structures;
- (h) prescribing the form in which a register shall be kept by a hotelkeeper;
- (i) establishing standards and prescribing the kind of materials, equipment or apparatus to be used or provided for the protection of hotels and like buildings from fire and for the safety of persons occupying same from damage or injury by fire;

Rev. Stat.,  
c. 257.

- (j) requiring the appliances to be used and precautions to be taken in the erection, management, furnishing, lighting and heating of hotels, and the precautions to be taken for securing the safety of life and property from fire in addition to those specified in this Act;
- (k) prescribing penalties for any breach of the regulations; and
- (l) generally for the better carrying out of the provisions of this Act.

**34.** This Act shall come into force on a day to be named Commencement of Act.  
by the Lieutenant-Governor by his proclamation.

Ontario,  
19 George V, 1929.

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BILL.

An Act respecting Hotels.

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*1st Reading*

March 18th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act respecting Hotels.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Hotels Act, 1929*. Short title.

### *Preliminary*

2. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

3. The following Acts and parts of Acts are hereby repealed: Repeal.

*The Liquor Control Act*, R.S.O. 1927, chapter 257, sections 140 and 141.

*The Prevention of Accidents by Fire in Hotels Act*, R.S.O. 1927, chapter 286.

*The Standard Hotel Registration of Guests Act*, R.S.O. 1927, chapter 258.

*The Innkeepers Act*, R.S.O. 1927, chapter 210.

4. The penalties which may be imposed under this Act or under the regulations made under the authority of this Act shall be recoverable under *The Summary Convictions Act*. Recovery of penalties.  
Rev. Stat., c. 121.

5. In this Act,— Interpretation.

(a) "Hotel" shall mean a separate building or two or more connected buildings used mainly for the purpose of catering to the needs of the travelling public by the supply of food and also by the furnishing of sleeping accommodation of not less than six bedrooms as distinguished from any other building or connected buildings used mainly for the purpose "Hotel."

of supplying food and lodging by the week or otherwise commonly known as "boarding houses" or of furnishing living quarters for families and having a dining-room or restaurant commonly known as "apartment houses" or "private hotels";

- "Hotel keeper." (b) "Hotelkeeper" shall include the owner or lessee of a hotel and the manager, superintendent or any other person having charge of and carrying on the business of a hotel;
- "Inspector." (c) "Inspector" shall mean and include any officer designated or appointed by the Liquor Control Board or by the Lieutenant-Governor in Council for the purpose of seeing that the provisions of this Act and of the regulations made thereunder are duly complied with;
- "Licensing authority." (d) "Licensing authority" shall mean that member of the Executive Council, a commission, board or other body constituted under any other Act, or any commission or board designated or constituted by the Lieutenant-Governor in Council for the administration of this Act.

### *Hotel Licenses*

- Hotel licenses, — issue of. **6.** Subject to the regulations and to the provisions of this section and sections 7 to 10 the licensing authority may issue to a person carrying on the business of a hotel, upon payment of the prescribed fee and upon compliance with the conditions prescribed by the regulations to this Act a license to carry on such business.
- Term of license. **7.** Every such license shall continue in force until the 31st day of May next following the date of the issue thereof and may be renewed annually thereafter upon payment of the prescribed fee.
- Submission of plans. **8.** No license shall be issued for a hotel unless and until the plans of the hotel, in such form as may be prescribed by the regulations, have been submitted to and approved by the licensing authority, nor until any structure or alterations in, or additions to the premises directed by the licensing authority have been certified by the inspector in writing to have been completed.
- Rights of license holder. **9.** The holder of a license issued under this section and sections 7 to 10 shall be entitled to sell all non-intoxicating drinks and beverages, cigars, cigarettes and tobacco, and to

conduct an ice cream or general restaurant or cafe without further municipal or other license.

**10.** Every hotelkeeper who carries on the business of a hotel unless and until he has procured a license under the provisions of this Part shall incur a penalty of not less than \$10 nor more than \$50 for a first offence and for a subsequent offence a penalty of \$100 and after a second offence he shall be deemed incapable of holding a license under this Act.

Penalty for operating without license.

### *Registration*

**11.** Every licensee, owner, manager or other person in charge of a hotel shall keep in such hotel a register in which shall be entered the name and usual place of residence of every person admitted as a guest in such hotel and occupying a room therein alone or with any other person, together with the number of the room so occupied.

Register.

**12.**—(1) Any such licensee, owner or manager of a hotel who neglects to keep such register or to see that the particulars required by section 11 are entered therein, or who knowingly and wilfully permits any untrue statement as to the name or place of residence of the guest to be entered in the register shall be guilty of an offence and shall incur a penalty of not less than \$10 nor more than \$50 and in default of payment may be imprisoned for a period not exceeding three months.

Penalty for neglect to keep register.

(2) In addition to any other penalty, where the person committing such an offence is the licensee, or any person acting for him or with his knowledge, the license to keep the hotel shall upon conviction of the offender, be deemed to be forfeited.

Forfeiture of license.

(3) Every hotel as defined by this Act and the register cards and other documents required to be kept by this Act, shall at all times be open to inspection by an inspector or any other officer designated for such purpose by the licensing authority.

Inspection of hotels.

**13.** A person who applies for admission as a guest in any hotel and who registers under or represents himself as bearing some other name than his own, or who in registering or procuring admission to a hotel, makes any false statement as to his ordinary place of residence, shall incur a penalty of not less than \$20, nor more than \$200, and in default of payment may be imprisoned for a period not exceeding three months.

False registration.

**14.** Every male person who procures or attempts to procure or authorizes or permits any other person to procure

Penalty for false registration as man and wife.

lodgings in a hotel for himself and any woman who he falsely holds out to be his wife, or of whom he falsely holds himself out or permits himself to be represented as the husband, and every such woman shall be guilty of an offence and shall incur a penalty of not less than \$100 nor more than \$500 and in default of payment may be imprisoned for a period not exceeding three months.

*Prevention of Accidents by Fire*

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(2) Such stairway or ladder shall be securely attached to the building, shall have sufficient strength to sustain a weight of at least one thousand pounds per ten feet of vertical height of the stairway or ladder measured from its lowest point, and shall extend to at least within six feet of the ground.

(3) A standard enclosed fireproof and smokeproof stairway within the building, constructed to the satisfaction of the inspector in charge of the district in which the building is located, shall be deemed to be the equivalent of such stairway or ladder.

Balcony.

**16.**—(1) A balcony of iron construction shall be erected outside each door, window or other exit leading from each floor above the first or ground floor, to an outside stairway or ladder of such design, construction and location as shall be deemed necessary by the inspector in charge of the district in which such hotel is located.

Balcony  
floor.

(2) A balcony floor shall be not more than three inches lower than the bottom of the door or window in cases where the door or window opening on to the balcony extends to or within one foot of the floor level, but in other cases a balcony floor shall be not less than ten inches nor more than fifteen inches below the bottom of such outlet.

Access  
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**17.**—(1) Access to such stairway or ladder shall be unobstructed and shall not be through a room used as a bedroom, bathroom or for any other purpose that obstructs free passage, nor shall such access be veiled from open view by ornamentation, curtains or any other thing.

(2) Doors or windows at such balconies shall be hinged so as to open outward in such a manner that they will not interfere with the exit flow of traffic, and so that they will in their opened position leave the full width of the balcony free for use. Doors and windows to be hinged.

(3) All exterior doors other than rotary or rotating doors on the ground floor shall be hinged to open outwards. Exterior doors.

**18.**—(1) Where electric light is available a red light shall be kept burning during the night at each immediate point of exit to any outside stairway or ladder or other emergency means of escape, and all exits shall be marked with the word "Exit" in letters not less than six inches high, and no other red light shall be used within the premises. Indication of exits.

(2) Placards at least eight inches in height and printed in letters at least two inches high stating that the exits by stairway or outside fire escapes are at the red lights and indicating the direction shall be displayed in prominent locations, including the office where the register is kept, and at each landing of each stairway used by the public. Placards to be displayed.

(3) A notice shall be posted up in the office and each sleeping apartment or bedroom calling attention to the fire escapes and containing full directions for the use of the same, as well as a statement explaining the situation of outside stairways or ladders and the means of access to the same. Notice to be posted in each sleeping apartment.

**19.** It shall be the duty of the owner of the hotel to erect and maintain such stairways or ladders as may be required under this Act and it shall be the duty of the keeper or proprietor of the hotel to keep the way or passage to the stairway or ladder at all times unobstructed and free of access. Duty as to stairways.

**20.**—(1) Every hotel shall provide in every sleeping apartment or bedroom above the first or ground floor a rope not less than seven-eighths of an inch in thickness, of sufficient length to reach from its fastening through a window of the room to the ground, and such rope shall be firmly secured to a safe fastening at the side of the window at least two feet above the sill, and every bedroom window shall be so arranged that it may be opened with ease and conveniently secured in an open position. Ropes.

(2) Ropes shall be kept coiled or looped in a convenient position so that they can be promptly extended to the ground without any delay. Position of ropes.

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Night  
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**21.** The keeper of any hotel containing fifty or more bedrooms furnished for use, shall employ a night watchman who shall be on duty from ten o'clock each night until six o'clock on the following morning.

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**24.** Nothing in this Act shall affect any by-laws relating to the matters mentioned herein and lawfully passed by a municipal council, or the authority of a municipal council to pass any such by-laws so far as such by-laws impose additional or more stringent requirements than those imposed by this Act.

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**26.** Where by any statute or municipal by-law or by any regulation made under a statute or by-law, the owner, proprietor, lessee, occupant, manager, or other person owning, occupying or having the control or management of a building, is required to provide fire escapes, means of exit, stairways, or other structures, or any appliance for the safety of inmates or of the public in case of fire, and it is shown in any action brought against such person to recover damages for death or injury occasioned by fire in such building, that such require-

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*Rights and Liabilities of Hotelkeepers*

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Notice  
of sale.

(3) The advertisement shall state the name of the guest, boarder or lodger, the amount of his indebtedness, the time and place of sale and the name of the auctioneer, and shall give a description of the baggage or other property to be sold. Particulars  
to be con-  
tained in  
notice of  
sale.

(4) The hotelkeeper, boarding-house keeper or lodging-house keeper may apply the proceeds of the sale in payment of the amount due to him and the costs of such advertising and sale, and shall pay over the surplus, if any, to the person entitled thereto on application being made by him therefor. Application  
of proceeds  
of sale.

(5) Every keeper of a livery stable, boarding stable or garage shall have a lien on every horse or other animal, boarded at, or vehicle (including motor vehicle) left in such livery stable, boarding stable or garage, for his reasonable charges for boarding, caring for and keeping such horse, animal or vehicle, and for the cost of any goods or merchandise supplied or services rendered in connection therewith at the request of the owner or of the person leaving such horse, other animal or vehicle in the livery stable, boarding stable or garage. Lien on  
conveyance  
and horse.

Lien on horses and conveyances and power to sell.

(6) Where a hotelkeeper, boarding-house keeper, lodging-house keeper, livery stable, boarding stable or garage keeper has a lien upon a horse or other animal or upon a vehicle for the value or price of any food or accommodation or for goods and merchandise supplied, or for care or labour bestowed thereon, he shall, in addition to all other remedies provided by law, have the right, in case the same remains unpaid for two weeks, to sell by public auction such horse or other animal or vehicle, on giving two weeks' notice by advertisement in a newspaper published in the municipality in which the hotel, boarding-house, lodging-house, livery stable, boarding stable or garage is situate, or, in case there is no newspaper published in the municipality, in a newspaper published nearest to such hotel, boarding-house, lodging-house, livery stable, boarding stable or garage, of the intended sale.

Advertisement of intended sale.

(7) The advertisement shall state the name, if known, of the person or persons who brought such horse or other animal or vehicle to the hotel, boarding-house, lodging-house, livery stable, boarding-stable or garage, the amount of the indebtedness and the name of the auctioneer, and shall give a description of the horse or other animal or vehicle.

Proceeds of sale,—application of.

(8) The hotelkeeper, the keeper of the boarding-house, lodging-house, livery stable, boarding-stable or garage may apply the proceeds of the sale in payment of the amount due to him, and the costs of such advertisement and sale and shall pay over the surplus, if any, to the person entitled thereto on application being made by him therefor.

"Accommodation,"—meaning of.

(9) "Accommodation" in this section shall include reasonable charges for the care, custody and storage of baggage or property.

Property left in storage.

(10) Property lost, or left with such hotelkeeper, lodging-house keeper or boarding-house keeper for purposes of storage and not claimed within three months by notice in writing from the person entitled thereto, shall be deemed to be baggage or property of a guest within the meaning of this section.

Limitation of hotel-keeper's liability.

**29.**—(1) No hotelkeeper shall be liable to make good to any guest of his hotel any loss of or injury to goods or property brought to the hotel to a greater amount than the sum of \$40 except,—

(a) where such goods or property shall have been stolen, lost or injured through the wilful act, default or neglect of such hotelkeeper or any servant in his employ;



(b) where such goods or property shall have been deposited expressly for safe custody with such hotelkeeper,

Provided always that in the case of such deposit it shall be lawful for such hotelkeeper, if he thinks fit, to require as a condition of his liability that such goods or property shall be deposited in a box or other receptacle, fastened and sealed by the person depositing the same; and provided further if a hotelkeeper refuses to receive for safe custody as mentioned in clause b, any goods or property of his guest, or if such guest, through any default of such hotelkeeper, is unable to deposit such goods or property the hotelkeeper shall not be entitled to the benefit of this Act in respect thereof.

(2) Notwithstanding anything in this section unless expressly deposited with the hotelkeeper for safe keeping the hotelkeeper shall not be responsible for goods or property lost, injured or stolen in a part of his hotel other than the guest room of the owner of such goods.

Proviso.

Liability only extended to property deposited for safe keeping and in guest room.

(3) Every hotelkeeper shall cause at least one copy of this section printed in plain type to be exhibited in a conspicuous part of the hall or entrance to his hotel, and he shall be entitled to the benefit of this Act in respect of such goods or property only as shall be brought to his hotel in which such copy shall be so exhibited.

Copy of section to be posted up in hotel.

**30.** The lien of a hotelkeeper, boarding-house keeper or lodging-house keeper upon the wearing apparel of any servant or labourer shall not extend to any greater sum than \$6, and on payment or tender of that sum, or of any less sum due, such wearing apparel shall be immediately given up, whatever may be the amount due by such servant or labourer.

Limitation of lien on wearing apparel of servant or labourer to \$6.

**31.** Notwithstanding anything herein contained a hotelkeeper, boarding-house keeper or lodging-house keeper shall not be liable for injury to, or loss of any goods or property aforesaid caused by fire or explosion unless it shall appear that such fire or explosion was caused by the wilful act, default or neglect of the hotelkeeper, boarding-house keeper or lodging-house keeper or any servant in his employ.

Liability for damage by fire.

**32.** No action shall be brought against any hotelkeeper, boarding-house keeper or lodging-house keeper by reason of any matter or thing occurring or arising in connection with the operation or maintenance of any hotel, boarding-house or lodging-house except within one year after such cause of action.

Action must be brought within one year.

Regulations. **33.** The Lieutenant-Governor in Council may make regulations,—

- (a) classifying and grading hotels and prescribing and fixing the amount and kind of accommodation and the appointments and equipment, including sanitary and other conveniences, requisite for obtaining licenses for the different classes of hotels, and regulating and governing the hotels so licensed;
- (b) subject to the provisions of this Act, prescribing the materials to be used and the internal arrangements of hotels and the appliances and equipment to be kept therein and annexed thereto for the better protection of life and property from fire;
- (c) requiring security to be given by any licensee for the due observance of the provisions of *The Liquor Control Act* (Ontario) and for compliance with the regulations and the provisions of this Act for securing the safety of life and property in the hotel and for preventing the use of the premises or any part thereof for improper purposes and for fixing the amount of such security;
- (d) fixing the license fee for each class of hotels and for the transfer of the license;
- (e) respecting the suspension or revocation of licenses and the causes therefor;
- (f) prescribing the conditions governing the issue and renewal and transfer of licenses and the form of licenses and transfers;
- (g) defining what shall constitute a "room" upon the hotel premises and extending the meaning of the term to include tents, camps or other temporary structures;
- (h) prescribing the form in which a register shall be kept by a hotelkeeper;
- (i) establishing standards and prescribing the kind of materials, equipment or apparatus to be used or provided for the protection of hotels and like buildings from fire and for the safety of persons occupying same from damage or injury by fire;

Rev. Stat.,  
c. 257.

- (j) requiring the appliances to be used and precautions to be taken in the erection, management, furnishing, lighting and heating of hotels, and the precautions to be taken for securing the safety of life and property from fire in addition to those specified in this Act;
- (k) prescribing penalties for any breach of the regulations; and
- (l) generally for the better carrying out of the provisions of this Act.

**34.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation. Commence-  
ment of  
Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act respecting Hotels.

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*1st Reading*

March 18th, 1929.

*2nd Reading*

March 21st, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Probation Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Probation Act, 1929*. Short title.

2. *The Probation Act* is amended by adding thereto the following section: Rev. Stat., c. 364, amended.

7.—(1) Where a person is charged with having committed an offence against any statute of Ontario the justice, police magistrate or court before which such person is brought for trial may make such inquiries as he deems proper as to the character and reputation of the person charged and as to whether or not he has been previously convicted of any offence under *The Criminal Code* or against a statute of Ontario, and if it appears that, regard being had to the age, character and antecedents of such person, that it is expedient that such person be released on probation of good conduct, such justice, police magistrate or court may release the person charged under one or more of the following directions and conditions: Dealing with person charged without conviction.

(a) That such person enter into a recognizance with or without sureties to keep the peace, and be of good behaviour; Conditions. Recognizance.

(b) That such person be placed upon probation for such period and under such circumstances as the justice, police magistrate or court before which he is brought may prescribe; Probation.

(c) That such person shall report from time to time during such period of probation to any probation officer that the justice, police magistrate or court may designate; Report to probation officer.

Supervision  
and  
direction.

(d) That such person shall be under the supervision and direction of such probation officer during the said period of probation, and shall obey and carry out the instructions and directions of the said probation officer;

Payment  
of costs.

(e) That such person pay the costs of the prosecution or some portion of the same within such period and by such instalments as the justice, police magistrate or court before which he is brought may direct;

Restitution.

(f) That such offender make such restitution and reparation to any person or persons aggrieved or injured by the offence charged, for any actual damage or loss thereby caused;

Support of  
family.

(g) That such person while on probation be ordered to provide for the support of his wife and any other dependant or dependants for which he is liable;

Other  
conditions  
and  
directions.

(h) That such person perform and carry out any other direction and condition that such justice, police magistrate or court before which he is brought may prescribe and deem proper to impose.

Place of  
abode of  
person  
charged  
to be in  
jurisdiction.

(2) Such justice, police magistrate or court before which such person is brought, before directing the release or discharge of any such person, shall be satisfied that such person or his surety has a fixed place of abode or regular occupation in the county or place for which the justice, police magistrate or court acts, or in which such person is likely to live during the period named for the observance of the conditions.

Failure to  
carry out  
conditions.

(3) If any justice, police magistrate or court having power to deal with such person in respect of the charge against him, or if any justice, police magistrate or court is satisfied by information on oath that such person has failed to observe any of the conditions of his recognizance, or has failed to observe and perform any direction or condition made in reference to probation or otherwise, a new information may be issued against such person for the original offence charged, and in addition an information may also be issued against such person for a breach of any of the directions and conditions so imposed.

- (4) Upon conviction of a breach of any of the directions and conditions so made, such person may in addition to any penalty that may be imposed for the original offence, incur a penalty not exceeding \$50 recoverable under *The Summary Convictions Act*. <sup>Penalty.</sup> Rev. Stat., c. 121.
- (5) Where the justice, police magistrate or court finds that there has been a previous conviction against the person charged, the justice, police magistrate or court may exercise the powers conferred by subsection 1, subject to the approval and concurrence of the Crown attorney. <sup>When concurrence of Crown attorney required.</sup>

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Probation Act.

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*1st Reading*

March 18th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Probation Act.

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- (a) That such person enter into a recognizance with or without sureties to keep the peace and be of good behaviour; Conditions. Recognizance.
- (b) That such person be placed upon probation for such period and under such circumstances as the justice, police magistrate or court before which he is brought may prescribe; Probation.
- (c) That such person shall report from time to time during such period of probation to any probation officer that the justice, police magistrate or court may designate; Report to probation officer.

Supervision  
and  
direction.

(d) That such person shall be under the supervision and direction of such probation officer during the said period of probation, and shall obey and carry out the instructions and directions of the said probation officer;

Payment  
of costs.

(e) That such person pay the costs of the prosecution or some portion of the same within such period and by such instalments as the justice, police magistrate or court before which he is brought may direct;

Restitution.

(f) That such offender make such restitution and reparation to any person or persons aggrieved or injured by the offence charged, for any actual damage or loss thereby caused;

Support of  
family.

(g) That such person while on probation be ordered to provide for the support of his wife and any other dependant or dependants for which he is liable;

Other  
conditions  
and  
directions.

(h) That such person perform and carry out any other direction and condition that such justice, police magistrate or court before which he is brought may prescribe and deem proper to impose.

Place of  
abode of  
person  
charged  
to be in  
jurisdiction.

(2) The justice, police magistrate or court before which such person is brought, before directing the release or discharge of any such person, shall be satisfied that such person or his surety has a fixed place of abode or regular occupation in the county or place for which the justice, police magistrate or court acts, or in which such person is likely to live during the period named for the observance of the conditions.

Failure to  
carry out  
conditions.

(3) If any justice, police magistrate or court having power to deal with such person in respect of the charge against him, or if any justice, police magistrate or court is satisfied by information on oath that such person has failed to observe any of the conditions of his recognizance, or has failed to observe and perform any direction or condition made in reference to probation or otherwise, a new information may be issued against such person for the original offence charged, and in addition an information may also be issued against such person for a breach of any of the directions and conditions so imposed.

(4) Upon conviction of a breach of any of the directions and conditions so made, such person may in addition to any penalty that may be imposed for the original offence, incur a penalty not exceeding \$50 recoverable under *The Summary Convictions Act*. <sup>Penalty.</sup>  
Rev. Stat.,  
c. 121.

(5) Where the justice, police magistrate or court finds that there has been a previous conviction against the person charged, the justice, police magistrate or court may exercise the powers conferred by subsection 1, subject to the approval and concurrence of the Crown attorney. <sup>When concurrence of Crown attorney required.</sup>

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Probation Act.

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*1st Reading*

March 18th, 1929.

*2nd Reading*

March 21st, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Juvenile Courts Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Juvenile Courts Act, 1929.* Short title.

2. Subsection 2 of section 2 of *The Juvenile Courts Act* is Rev. Stat., c. 281, s. 2, subs. 2, repealed. repealed and the following substituted therefor:

(2) The Lieutenant-Governor in Council may appoint a Deputy judge.— appointment of. deputy judge of the juvenile court and the deputy judge or in the case of the absence or illness of the judge and on the written request and with the written approval of the Attorney-General, any other person may act as judge of the juvenile court.

3. Subsection 2 of section 14 of *The Juvenile Courts Act* is Rev. Stat., c. 281, s. 14, subs. 2, amended. amended by striking out in the clause lettered *a* the figures "\$30,000" and inserting in lieu thereof the figures "\$50,000"; by striking out of the clause lettered *b* the figures "\$10,000" and inserting in lieu thereof the figures "\$25,000"; by striking out in the clause lettered *c* the figures "\$6,000" and inserting in lieu thereof the figures "\$15,000", and by striking out in the clause lettered *d* the figures "\$3,500" and inserting in lieu thereof the figures "\$8,000," so that the said subsection will now read as follows: Limitations as to costs of juvenile courts.

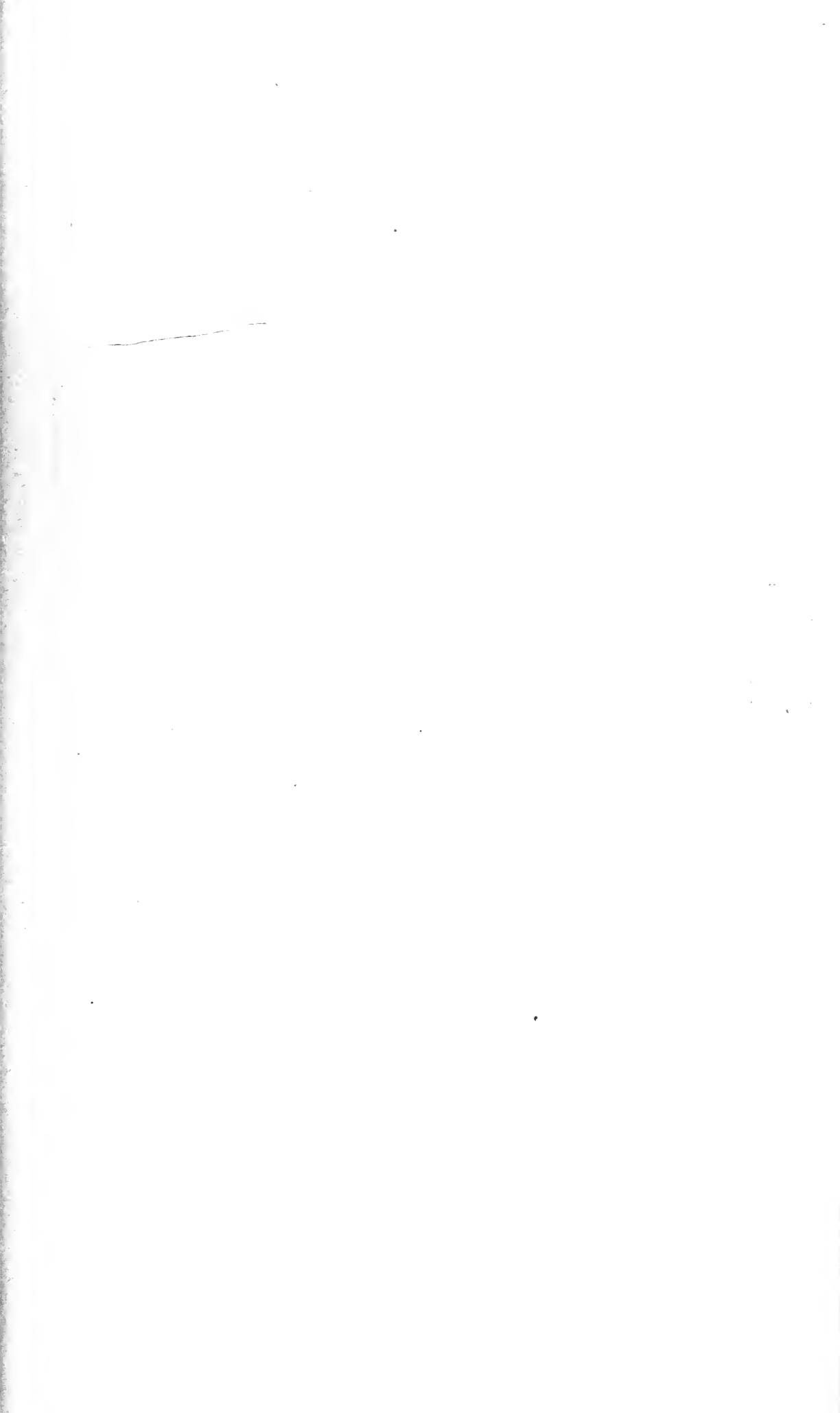
(2) The Lieutenant-Governor in Council may fix the Salaries of judge and amount of expenses. salary to be paid to the judge and the amount to be appropriated for other salaries and for the expenses of the court, and such salaries and expenses shall be paid by the city, town or county at the time and in the manner set forth in such Order-in-Council; provided that where fixed by the Lieutenant-Governor in Council the total amount so directed to be paid for the expenses of the court, including salaries, but exclusive of the cost of providing court room and offices and detention home, shall fall within the following limits:

Where the district covered by the court has,

- (a) a population of more than 200,000, not more than \$50,000;
- (b) a population of more than 75,000, but less than 200,000, not more than \$25,000;
- (c) a population of more than 25,000, but less than 75,000, not more than \$15,000;
- (d) a population less than 25,000, not more than \$8,000.

Commence-  
ment of  
Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.



19 George V, 1929.

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BILL.

An Act to amend The Juvenile Courts Act.

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*1st Reading*

March 19th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Juvenile Courts Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Juvenile Courts Act, 1929*. Short title.

2. Subsection 2 of section 2 of *The Juvenile Courts Act* is repealed and the following substituted therefor: Rev. Stat., c. 281, s. 2, subs. 2, repealed.

(2) The Lieutenant-Governor in Council may appoint a deputy judge of the juvenile court and the deputy judge or in the case of the absence or illness of the judge and on the written request and with the written approval of the Attorney-General, any other person may act as judge of the juvenile court. Deputy judge,—appointment of.

3. Subsection 2 of section 14 of *The Juvenile Courts Act* is amended by striking out in the clause lettered *a* the figures "\$30,000" and inserting in lieu thereof the figures "\$50,000"; by striking out of the clause lettered *b* the figures "\$10,000" and inserting in lieu thereof the figures "\$25,000"; by striking out in the clause lettered *c* the figures "\$6,000" and inserting in lieu thereof the figures "\$15,000", and by striking out in the clause lettered *d* the figures "\$3,500" and inserting in lieu thereof the figures "\$8,000," so that the said subsection will now read as follows: Rev. Stat., c. 281, s. 14, subs. 2, amended. Limitations as to costs of juvenile courts.

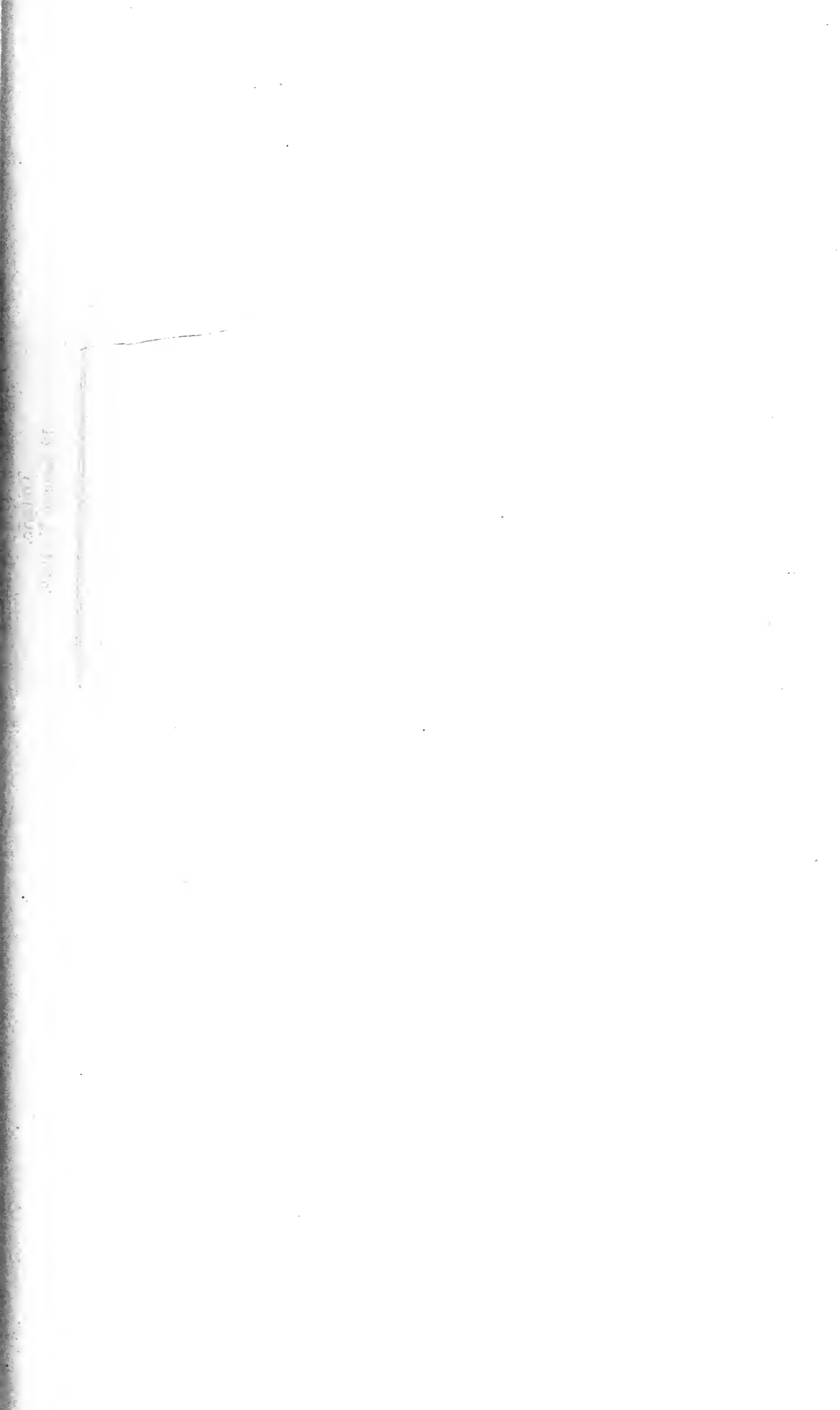
(2) The Lieutenant-Governor in Council may fix the salary to be paid to the judge and the amount to be appropriated for other salaries and for the expenses of the court, and such salaries and expenses shall be paid by the city, town or county at the time and in the manner set forth in such Order-in-Council; provided that where fixed by the Lieutenant-Governor in Council the total amount so directed to be paid for the expenses of the court, including salaries, but exclusive of the cost of providing court room and offices and detention home, shall fall within the following limits: Salaries of judge and amount of expenses.

Where the district covered by the court has,

- (a) a population of more than 200,000, not more than \$50,000;
- (b) a population of more than 75,000, but less than 200,000, not more than \$25,000;
- (c) a population of more than 25,000, but less than 75,000, not more than \$15,000;
- (d) a population less than 25,000, not more than \$8,000.

Commence-  
ment of  
Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.



Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Juvenile Courts Act.

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*1st Reading*

March 19th, 1929.

*2nd Reading*

March 21st, 1929.

*3rd Reading*

March 26th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to provide for the better definition and extension of the Jurisdiction of certain Magistrates.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Magistrates' Jurisdiction Act, 1929.* Short title.

**2.** Where jurisdiction is given to any justice or justices, police magistrate or deputy police magistrate, judge or deputy judge of a juvenile court under any statute of Ontario for conducting any inquiry or the hearing, trial or disposition of any matter arising under any statute of Ontario, the Lieutenant-Governor in Council may designate and name any justice or justices, police magistrate or deputy police magistrate, judge or deputy judge of any juvenile court, to conduct any such inquiry, and hear, determine, try and dispose of any such matter under any statute of Ontario, and may confer exclusive, or joint, or general jurisdiction upon justices, police magistrates, deputy police magistrates, and judges or deputy judges of juvenile courts, or any one or more of them, to conduct such inquiry and hear, determine, try and dispose of any such matter. Designating magistrates and juvenile court judges to hear cases under provincial statutes.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to provide for the Better Definition  
and Extension of the Jurisdiction of  
Certain Magistrates.

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*1st Reading*

March 19th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to provide for the better definition and extension of the Jurisdiction of certain Magistrates.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Magistrates' Jurisdiction Act, 1929.* Short title.

2. Where jurisdiction is given to any justice or justices, police magistrate or deputy police magistrate, judge or deputy judge of a juvenile court under any statute of Ontario for conducting any inquiry or the hearing, trial or disposition of any matter arising under any statute of Ontario, the Lieutenant-Governor in Council may, within his jurisdiction, designate and name any such justice or justices, police magistrate or deputy police magistrate, judge or deputy judge of any juvenile court, to conduct any such inquiry, and hear, determine, try and dispose of any such matter under any statute of Ontario, and may confer exclusive, or joint, or general jurisdiction upon justices, police magistrates, deputy police magistrates, and judges or deputy judges of juvenile courts, or any one or more of them, to conduct such inquiry and hear, determine, try and dispose of any such matter.

Designating magistrates and juvenile court judges to hear cases under provincial statutes.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to provide for the Better Definition  
and Extension of the Jurisdiction of  
Certain Magistrates.

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*1st Reading*

March 19th, 1929.

*2nd Reading*

March 21st, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## The Statute Law Amendment Act, 1929.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** The form numbered 13 in schedule "A" to *The Voters' Lists Act* is amended by striking out the words "by registered letter or by parcel post registered" in the eleventh and twelfth lines of the said form. Rev. Stat., c. 7, Sched. "A," Form 13, amended.

**2.—(1)** Subsection 1 of section 9 of *The County Judges' Act* is amended by striking out the words "county of Wentworth" in the fifth and sixth lines and inserting in lieu thereof the words "counties of Wentworth, Carleton, Middlesex and Essex." Rev. Stat., c. 90, s. 9, subs. 1, amended.

(2) Subsection 2 of section 9 of the said Act as re-enacted by section 18 of *The Statute Law Amendment Act, 1928*, is amended by adding thereto the following words, "provided further that should the senior judge of the county of York be succeeded in office by one of the junior judges of the said county, holding office on the 15th day of January, 1927, such judge so promoted shall continue to be entitled to the annual allowance of \$1,600." Allowance to junior judges. Rev. Stat., c. 90, s. 9, subs. 2, (1928, c. 21, s. 18), amended. Allowance to senior judge of York.

**3.** The clause lettered *w* in section 3 of *The Jurors' Act* is amended by adding at the end thereof the words "and every person employed by any public commission, carrying on the business of developing, transmitting or distributing electrical power or energy." Rev. Stat., c. 96, s. 3, cl. *w*, amended. Exemption from jury service.

**4.—(1)** Section 15 of *The Magistrates' Act* is amended by adding thereto the following subsection: Rev. Stat., c. 119, s. 15, amended.

(3) The provisions of subsection 2 shall also apply to a township having a population of not less than 40,000 and bordering on a city having a population of not less than 200,000. Salaries police magistrates.

Rev. Stat.,  
c. 119, s. 32,  
amended. (2) Section 32 of the said Act is amended by inserting at the commencement thereof the words "subject to the provisions of *The Magistrates' Jurisdiction Act, 1929.*"

Rev. Stat.,  
c. 131,  
amended. **5.** *The Statute of Frauds* is amended by adding thereto the following section:

Limitation  
as to validity  
of covenants  
in conditions  
in agree-  
ments for  
sale of land. **4a.** A promise, contract or agreement to pay any sum of money by way of liquidated damages or to do or suffer any other act, matter or thing based upon, arising out of, or relating to a promise, contract or agreement dealt with in section 4 shall not be of any greater validity than such last-mentioned promise, contract or agreement.

Rev. Stat.,  
c. 144,  
Sched. "B,"  
col. 2, para.  
12, amended. Clerical  
correction. **6.** Paragraph 12 in column 2 of schedule "B" to *The Short Forms of Leases Act* is amended by striking out the word "hereafter" in the eleventh line of the said paragraph and inserting in lieu thereof the word "thereafter."

Rev. Stat.,  
c. 165, s. 10,  
amended. **7.** Section 10 of *The Conditional Sales Act* is amended by striking out the words "within thirty days" in the thirteenth line. Contracts  
originating  
out of  
Ontario.

Rev. Stat.,  
c. 189, s. 2,  
subs. 3,  
amended. **8.** Subsection 3 of section 2 of *The Adoption Act* as amended by section 2 of *The Adoption Act, 1928*, is further amended by adding thereto the following clause:

When con-  
sent of father  
of illegiti-  
mate child  
required. (b) Nothing herein shall be deemed to require the consent of the father of an illegitimate child to the making of an adoption order unless the child is resident with and maintained by the father.

Rev. Stat.,  
c. 218, s. 63a,  
subs. 1 (1928  
c. 32, s. 7),  
amended. **9.** Subsection 1 of section 63a of *The Companies Act* as enacted by section 7 of *The Companies Act, 1928*, is amended by inserting before the commencement thereof the words "subject to the provisions of *The Succession Duty Act.*"

Rev. Stat.,  
c. 236, s. 6,  
amended. **10.** Section 6 of *The Planning and Development Act* is amended by adding thereto the following subsection:

(2) Where the tract of land is situate in the urban zone or joint urban zone of a city having a population of not less than 200,000 it shall only be necessary to submit the plan of survey and subdivision to the council of such city and to the council of the municipality in which the tract of land is situate, and the provisions of clauses *c*, *d* and *e* shall apply.

Rev. Stat.,  
c. 246, s. 39,  
subs. 1,  
amended. **11.** Subsection 1 of section 39 of *The Public Libraries Act* is amended by striking out the words "seventy-five cents" in the fifteenth line and inserting in lieu thereof the figures "\$1."

**12.**—(1) Section 30 of *The Factory, Shop and Office Building Act* is repealed and the following substituted therefor: Rev. Stat., c. 275, s. 30, repealed.

30.—(1) No Chinese person shall employ in any capacity or have under his direction or control any female white person in any factory, restaurant or laundry. Employment of women by Chinese.

(2) Subsection 1 shall not come into force until a day to be named by the Lieutenant-Governor by his proclamation. Commencement of section.

(2) The amendment made by subsection 1 of this section shall have effect as from the 31st day of December, A.D. 1927. Amendment retro-active.

**13.** Section 13 of *The Children's Protection Act* as amended by section 7 of *The Children's Protection Act, 1928*, is further amended by adding thereto the following clauses: Rev. Stat., c. 279, s. 13, amended.

(a) The judge may in all cases arising under this section make such order regarding the maintenance and custody of any such child, and the right of access thereto of any person, or of either parent, having regard to the welfare of the child, and to the conduct of the parent or person, and to the wishes of the mother as well as of the father, and may at any time alter, vary or discharge any order so made. Power of judge on investigation of charges with respect to child.

(b) Any maintenance order so made may be enforced in the same manner as an order under subsections 3 and 4 of section 11 of *The Deserted Wives' and Children's Maintenance Act*.

**14.**—(1) The clause lettered *a* in subsection 2 of section 2 of *The Mothers' Allowances Act* is amended by striking out the words "one of her own children born in lawful wedlock" in the fifth and sixth lines, and inserting in lieu thereof the words "one of her own legitimate children." Rev. Stat., c. 280, s. 2, subs. 2, cl. a, amended.

(2) Subsection 3 of section 2 of the said Act is amended by striking out the words "under the terms of subsection 2" in the fourth and fifth lines and inserting in lieu thereof the words "under the terms of subsection 1 or subsection 2" and this amendment shall have effect as from the 1st day of January, 1928. Rev. Stat., c. 280, s. 2, subs. 3, amended.

**15.** The clause lettered *a* in section 7 of *The Corn Borer Act* is repealed and the following substituted therefor: Rev. Stat., c. 312, s. 7, cl. a, repealed.

(a) Refuses or neglects to carry out the requirements of this Act or of the regulations made thereunder, or. Offence.

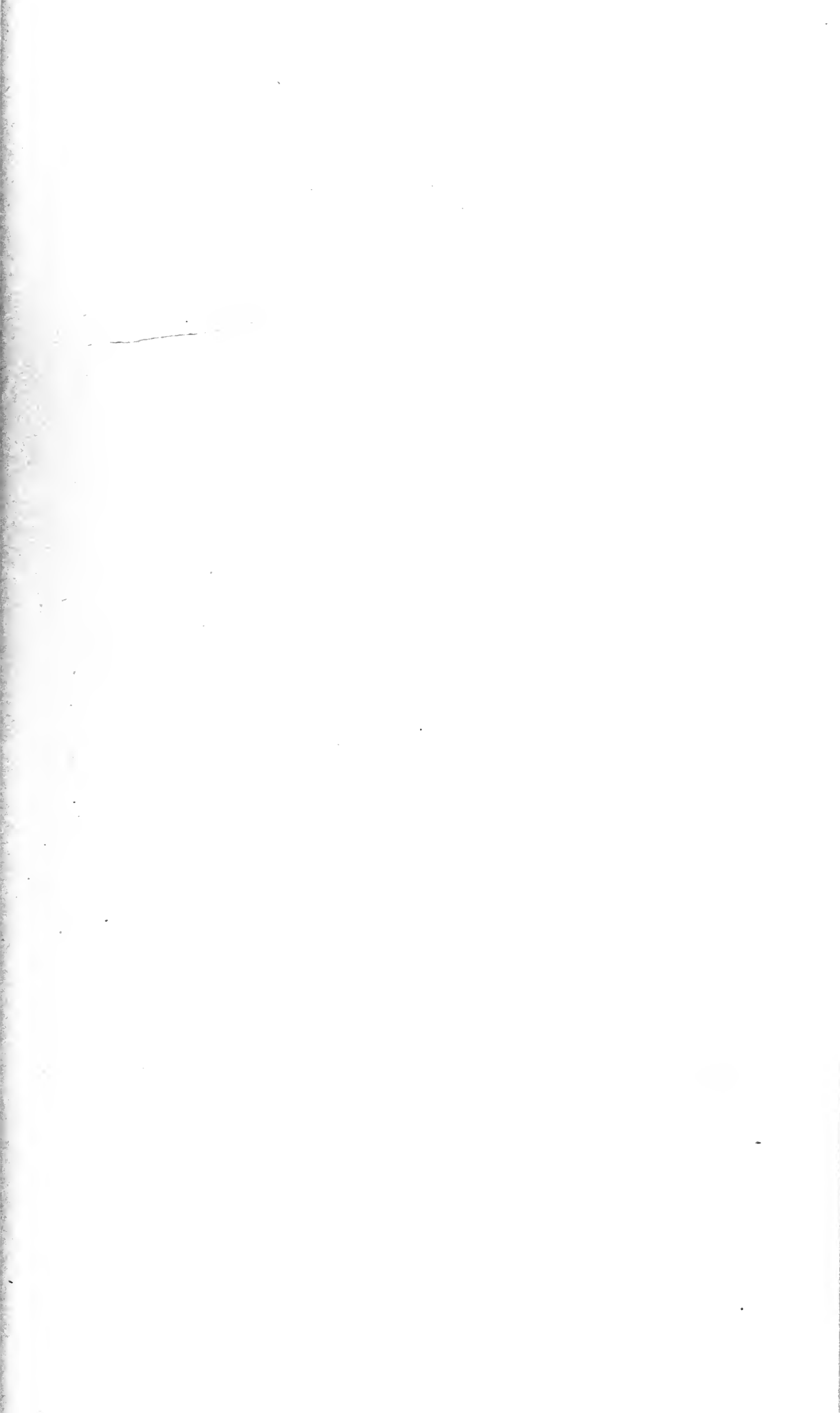
**16.** Section 7 of *The Parole Act* is repealed and the following substituted therefor: Rev. Stat., c. 362, s. 7, repealed.

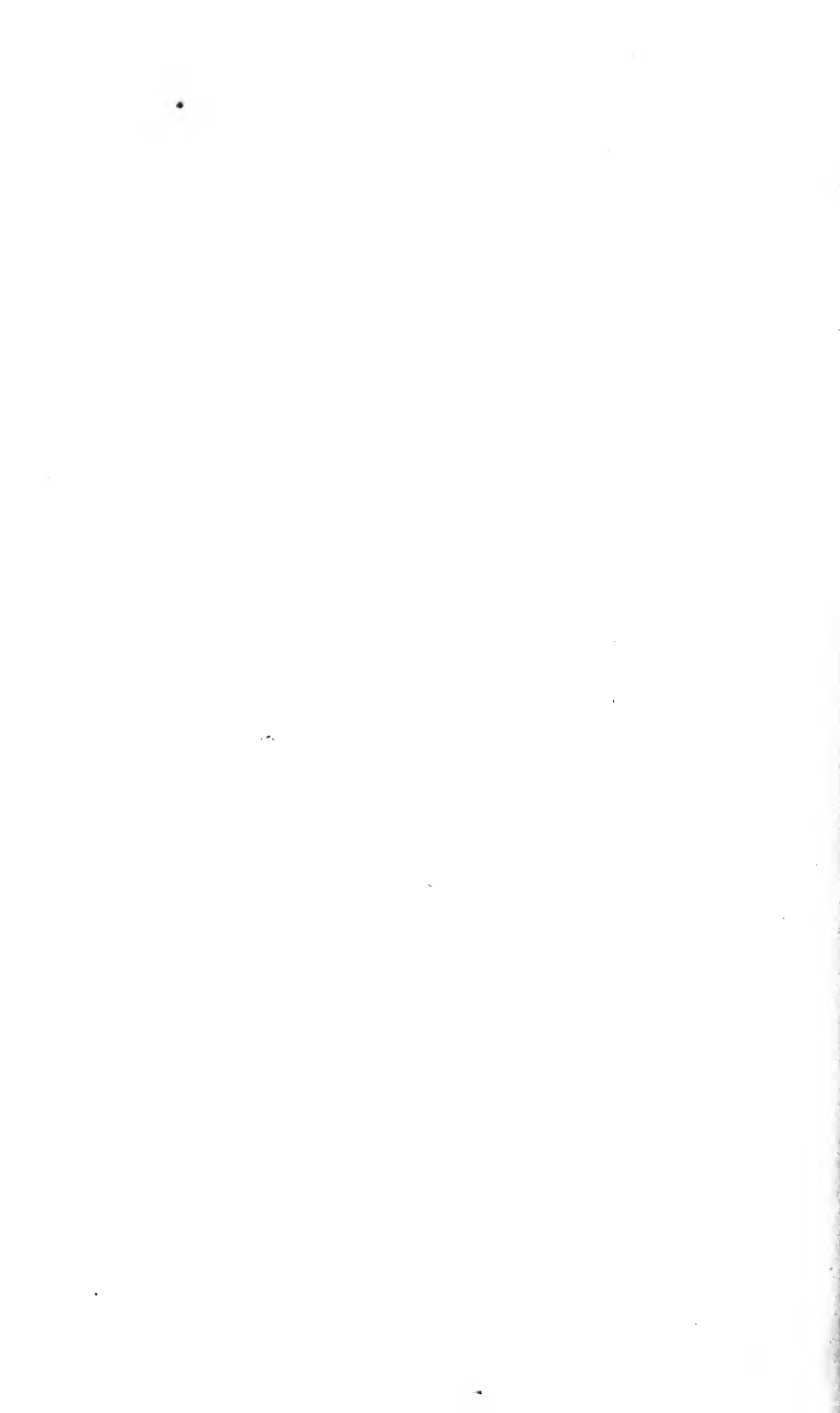
Allowances  
to Board.

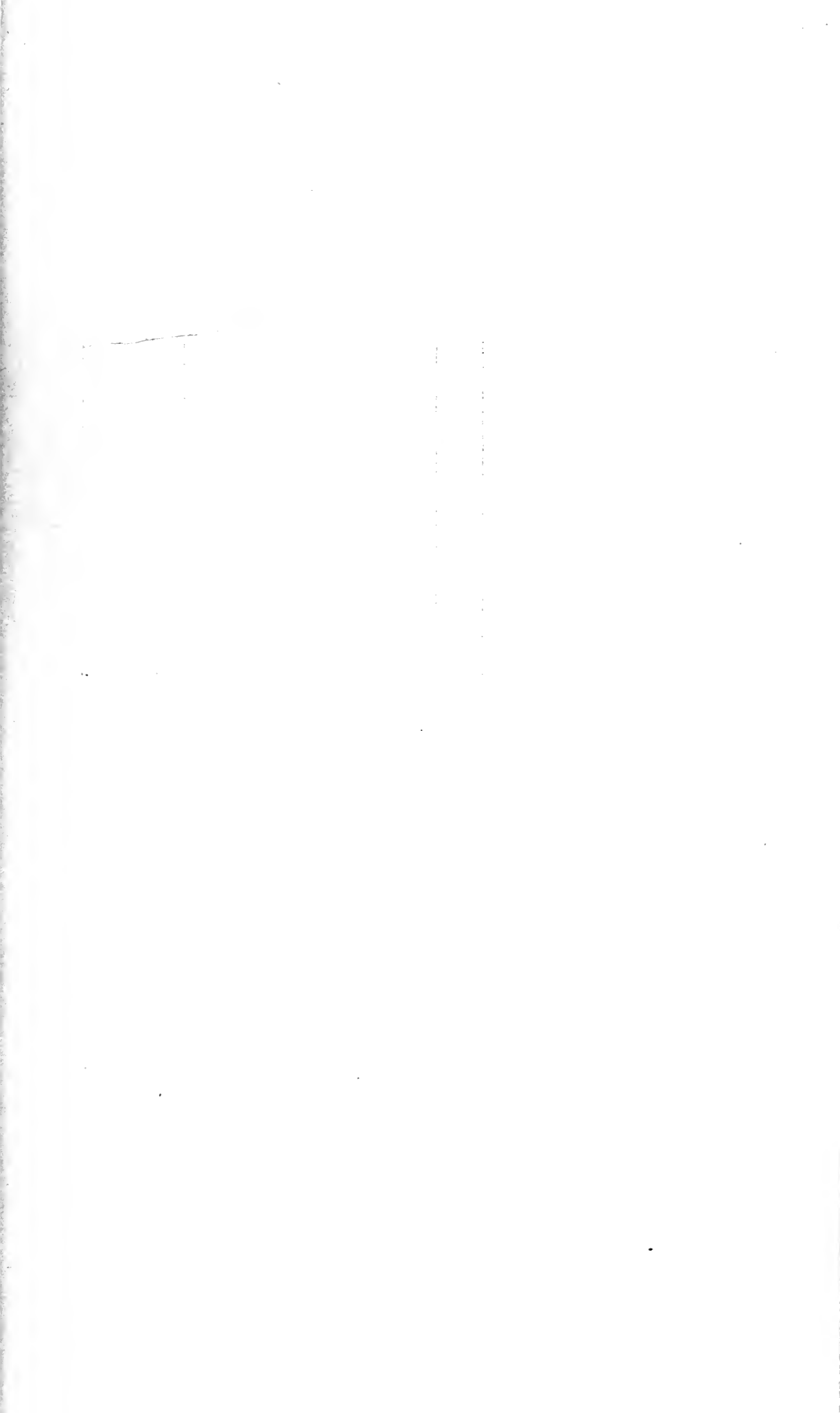
7. Each member of the Board shall be paid his travelling and other expenses in the performance of his duties under this Act and the sum of \$15 for his attendance at any meeting of the Board.

Commence-  
ment of  
Act.

**17.** This Act shall come into force on the day upon which it receives the Royal Assent.







3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

The Statute Law Amendment Act, 1929.

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*1st Reading*

March 19th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## The Statute Law Amendment Act, 1929.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The form numbered 13 in schedule "A" to *The Voters' Lists Act* is amended by striking out the words "by registered letter or by parcel post registered" in the eleventh and twelfth lines of the said form. Rev. Stat., c. 7, Sched. "A," Form 13, amended.

2. *The Crown Timber Act* is amended by adding thereto the following sections,— Rev. stat. c. 38, amended.

9a. The Minister may, so far as the same affects poplar trees and timber and subject to such terms and conditions as to him may seem meet, suspend the operation of the "manufacturing condition" for such period as to him may seem proper and as to any district or districts which he may define, so as to permit the exportation of poplar pulpwood during such period and from such district or districts. Suspension of "manufacturing condition" as to poplar.

29a. All Crown dues, interest, costs, expenses and penalties imposed under this Act and all other charges and claims of the Crown upon or in connection with trees or timber standing on, or which have been cut on the public lands of Ontario, or upon or in connection with trees or timber standing on, or which have been cut on patented lands where by the terms or conditions of the sale of such lands the timber on such patented lands remained the property of the Crown, shall, in preference and priority to any and all other fees, charges, liens or claims whatsoever, be a lien and charge upon the trees and timber so standing or which have been so cut, and upon all manufactured products or the trees so cut, and also upon the property whether real or personal, movable or immovable, of the person liable to pay such Crown dues, interest, costs, expenses or penalties. Lien for dues, etc., priority of.

Notice of  
lien.

29*b*. Where personal property subject to a lien and charge under section 29*a*, is under seizure or attachment or has been seized by the sheriff, or by a bailiff of any court, or is claimed by or in possession of any assignee for the benefit of creditors, or liquidator, or trustee, or authorized trustees in bankruptcy, or where such property has been converted into cash and is undistributed, the Minister may give to the sheriff, bailiff, assignee or liquidator, or trustee, or authorized trustee in bankruptcy, notice of the amount due or owing under such lien and charge, and in such case the sheriff, bailiff, assignee or liquidator, or trustee, or authorized trustee in bankruptcy shall pay the amount of the same to the Treasurer of Ontario in preference to and in priority over any and all other fees, charges, liens or claims whatsoever.

Rev. Stat.,  
c. 90, s. 9,  
subs. 1,  
amended.

3.—(1) Subsection 1 of section 9 of *The County Judges' Act* is amended by striking out the words "county of Wentworth" in the fifth and sixth lines and inserting in lieu thereof the words "counties of Wentworth, Carleton, Middlesex and Essex."

Allowance  
to junior  
judges.

Rev. Stat.,  
c. 90, s. 9,  
subs. 2, (1928,  
c. 21, s. 18),  
amended.

Allowance  
to senior  
judge of  
York.

(2) Subsection 2 of section 9 of the said Act as re-enacted by section 18 of *The Statute Law Amendment Act, 1928*, is amended by adding thereto the following words, "provided further that should the senior judge of the county of York be succeeded in office by one of the junior judges of the said county, holding office on the 15th day of January, 1927, such judge so promoted shall continue to be entitled to the annual allowance of \$1,600."

Rev. Stat.,  
c. 94,  
amended.

4.—(1) *The Surrogate Courts Act* is amended by adding thereto the following section:

Quebec  
probate.

33*a*. Subject to the provisions of subsection 2 of section 68, a notarial will made in the Province of Quebec may be admitted to probate without the production of the original will upon filing a notarial copy thereof together with the other proper proofs to lead grant.

Rev. Stat.,  
c. 94, s. 52,  
repealed.

(2) Section 52 of the said Act is repealed and the following substituted therefor:

Additional  
fees on in-  
crease of  
value of  
estate.

52. Where after a grant has issued out of the surrogate court the value of the estate has been increased for succession duty purposes, the executor or administrator shall forthwith pay to the registrar of the surrogate court from which the grant issued, the additional fees that would have been payable at the time of the issue had the value of the estate been

placed at the amount to which it has been so increased, and the registrar shall account for such additional fees in the same manner as if the same had been paid at the time of the issue of the grant.

(3) Subsection 1 of section 68 of the said Act is amended by adding thereto the following clause: Rev. Stat., c. 94, s. 68, subs. 1, amended.

(a) Subject to the provisions of subsection 2, letters of verification issued in the Province of Quebec shall be deemed to be a probate within the meaning of this section. Notarial wills made in Quebec.

**5.**—(1) Section 15 of *The Magistrates' Act* is amended by adding thereto the following subsection: Rev. Stat., c. 119, s. 15, amended.

(3) The provisions of subsection 2 shall also apply to a township having a population of not less than 40,000 and bordering on a city having a population of not less than 200,000. Salaries police magistrates.

(2) Section 32 of the said Act is amended by inserting at the commencement thereof the words "subject to the provisions of *The Magistrates' Jurisdiction Act, 1929.*" Rev. Stat., c. 119, s. 32, amended.

**6.** *The Statute of Frauds* is amended by adding thereto the following section: Rev. Stat., c. 131, amended.

4a. A promise, contract or agreement to pay any sum of money by way of liquidated damages or to do or suffer any other act, matter or thing based upon, arising out of, or relating to a promise, contract or agreement dealt with in section 4 shall not be of any greater validity than such last-mentioned promise, contract or agreement. Limitation as to validity of covenants in conditions in agreements for sale of land.

**7.** Paragraph 12 in column 2 of schedule "B" to *The Short Forms of Leases Act* is amended by striking out the word "hereafter" in the eleventh line of the said paragraph and inserting in lieu thereof the word "thereafter." Rev. Stat., c. 144, Sched. "B," col. 2, para. 12, amended. Clerical correction.

**8.** Section 10 of *The Conditional Sales Act* is amended by striking out the words "within thirty days" in the thirteenth line. Rev. Stat., c. 165, s. 10, amended. Contracts originating out of Ontario.

**9.** *The Master and Servant Act* is amended by adding thereto the following section: Rev. Stat., c. 177, amended.

5a. Where an order is made under this Act by a police magistrate in a city for the payment of money, such order may be proceeded upon and enforced in the Procedure upon order of police magistrate.

R.S.C., c. 36.

manner provided by section 739 of the *Criminal Code* and the said section shall apply as if the same were set out and enacted herein.

Rev. Stat.,  
c. 188, s. 1,  
cl. a,  
amended.

**10.** The clause lettered *a* in section 1 of *The Children of Unmarried Parents Act* is amended by striking out all the words at the commencement thereof down to and including the word "court" in the second line, and inserting in lieu thereof the words "'Judge' shall mean judge or junior or acting judge of a county or district court."

Rev. Stat.,  
c. 189, s. 2,  
subs. 3,  
amended.

**11.** Subsection 3 of section 2 of *The Adoption Act* as amended by section 2 of *The Adoption Act, 1928*, is further amended by adding thereto the following clause:

When consent of father of illegitimate child required.

(b) Nothing herein shall be deemed to require the consent of the father of an illegitimate child to the making of an adoption order unless the child is resident with and maintained by the father.

Rev. stat.,  
c. 225, s. 20,  
amended.

**12.** Section 20 of *The Railway and Municipal Board Act* is amended by adding thereto the following subsection:

Control of expropriation by companies.

(6a) The Board shall have power to inquire into, hear and determine any matter or thing that by Letters Patent or Supplementary Letters Patent of any company heretofore or hereafter issued may be referred to the Board and if the expropriation of land without the consent of the owners is so referred to the Board by Letters Patent or Supplementary Letters Patent of any company other than a railway company, the Board may refuse to approve of the map and location of the lands to be expropriated, in which case such companies shall not be entitled to exercise the right of expropriation.

Rev. Stat.,  
c. 261, s. 8,  
subs. 1,  
repealed.

**13.** Subsection 1 of section 8 of *The Athletic Commission Act* is repealed and the following substituted therefor:

Tax on gate receipts for funds of Commission.

(1) For the purpose of providing a fund for the payment of the expenses of the Commission and the salaries and other expenses of its officers, clerks and servants, and the general expenses incurred in carrying out the provisions of this Act, every person, corporation, association or club conducting a professional contest or exhibition of any sport or game shall pay to the Commission an amount,—

(a) not exceeding two per centum in the case of any such contest or exhibition not being a boxing contest or exhibition;

- (b) not less than one per centum and not exceeding five per centum in the case of a boxing contest or exhibition,

of the gross receipts taken by such person, corporation, association or club in respect of such contest or exhibition as shall from time to time be determined by the Commission with the approval of the Lieutenant-Governor in Council.

**14.** Section 11 of *The Minimum Wage Act* is amended by adding thereto the following subsection: Rev. Stat., c. 277, s. 11, amended.

- (5) In all cases where any child, youth, young girl or woman, as defined in *The Factory, Shop and Office Building Act*, works beyond the number of hours in any one day or in any one week as set out in the said Act, and whether the inspector under the said Act has permitted exemption or not, the Board may establish a wage for all time so worked in excess of such statutory number of hours in any one day or week. Fixing rate of wages for illegal overtime.

**15.—(1)** Section 13 of *The Children's Protection Act* as amended by section 7 of *The Children's Protection Act, 1928*, is further amended by adding thereto the following clauses: Rev. Stat., c. 279, s. 13, amended.

- (a) The judge may in all cases arising under this section make such order regarding the maintenance and custody of any such child, and the right of access thereto of any person, or of either parent, having regard to the welfare of the child, and to the conduct of the parent or person, and to the wishes of the mother as well as of the father, and may at any time alter, vary or discharge any order so made. Power of judge on investigation of charges with respect to child.
- (b) Any maintenance order so made may be enforced in the same manner as an order under subsections 3 and 4 of section 11 of *The Deserted Wives' and Children's Maintenance Act*.

(2) *The Children's Protection Act* is amended by adding thereto the following section: Rev. Stat., c. 279, amended.

- 30a. Every society or agent shall maintain careful supervision over every child brought or caused or procured to be brought into Ontario by such society or agent until such child attains the age of eighteen years; and it shall be the duty of such society or agent to cause a personal visit by an agent, specially appointed for that purpose, to be made to each such Duties of societies and agents as to children brought into Ontario.

child at least once in every year until the child has attained such age; and for the purposes of this Act, and for the protection of the person and earnings of the child, the society or agent, until the child attains the age of eighteen years, shall have all the powers and shall perform all the duties by law provided in the case of the guardian of an infant.

Rev. Stat.,  
c. 280, s. 2,  
subs. 2, cl. a,  
amended. **16.**—(1) The clause lettered *a* in subsection 2 of section 2 of *The Mothers' Allowances Act* is amended by striking out the words "one of her own children born in lawful wedlock" in the fifth and sixth lines, and inserting in lieu thereof the words "one of her own legitimate children."

Rev. Stat.,  
c. 280, s. 2,  
subs. 3,  
amended. (2) Subsection 3 of section 2 of the said Act is amended by striking out the words "under the terms of subsection 2" in the fourth and fifth lines and inserting in lieu thereof the words "under the terms of subsection 1 or subsection 2" and this amendment shall have effect as from the 1st day of January, 1928.

Rev. Stat.,  
c. 312, s. 7,  
cl. a,  
repealed. **17.** The clause lettered *a* in section 7 of *The Corn Borer Act* is repealed and the following substituted therefor:

Offence. (a) Refuses or neglects to carry out the requirements of this Act or of the regulations made thereunder, or.

Rev. Stat.,  
c. 362, s. 7,  
repealed. **18.** Section 7 of *The Parole Act* is repealed and the following substituted therefor:

Allowances  
to Board. 7. Each member of the Board shall be paid his travelling and other expenses in the performance of his duties under this Act and the sum of \$15 for his attendance at any meeting of the Board.

1928, c. 17,  
s. 2, subs. 2,  
amended. **19.** Subsection 2 of section 2 of *The University Avenue Extension Act, 1928*, is amended by striking out the figures "1930" in the eleventh line and inserting in lieu thereof the figures "1931."

Confirma-  
tion of sales  
of certain  
radial  
railway  
property by  
Commission.  
1921, c. 24. **20.**—(1) It is declared that the Hydro-Electric Power Commission of Ontario has, and has had since the 1st day of December, A.D. 1920, the right to dispose of any real or personal property not required for railway purposes which are referred to in the agreements set forth in schedule "A" to *The Toronto Radial Railway Act, 1921*, free and clear from any charge or lien on account of bonds to the amount of \$2,375,000 mentioned in subsection 2 of section 9 of the said Act, and any conveyance heretofore made by the said Commission or its successors or assigns purporting to convey any

such real or personal property to a purchaser thereof has had the effect of vesting same in the purchaser free and clear from any charge or lien on account of the said bonds.

(2) It is declared that the corporation of the city of Toronto has had since the 11th day of January, A.D. 1927, the right to dispose of any such real or personal property, not required for railway purposes, free and clear from any lien or charge on account of the said bonds, or any of them, and any conveyance heretofore made by the corporation of the city of Toronto of any of the real or personal property which became vested in the corporation of the said city under *The Toronto Radial Railway Act, 1927*, purporting to convey any such property, had the effect of vesting such property in the purchaser, free and clear from any charge or lien on account of the said bonds.

Confirma-  
tion of sales  
by city.

1927, c. 58.

(3) The corporation of the city of Toronto, with the approval of the Lieutenant-Governor in Council may sell, convey, lease or otherwise dispose of any of the property not required for railway purposes which is set forth in the schedule to the agreements referred to in section 4 of *The Toronto Radial Railway Act, 1927*, free and clear from the bonds mentioned in subsection 1 hereof, and free and clear from any charge or lien on account of the said bonds, or any of them, and the proceeds thereof shall be used or disposed of in expenditures on capital account of any of the railways mentioned in *The Toronto Radial Railway Act, 1927*, described as the "Metropolitan Division," the "Scarborough Division" and the "Mimico Division," or invested in securities of Ontario for the retirement of the said bonds at maturity.

City  
authorized  
to sell certain  
radial lands  
free of bond  
charge.

**21.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

Ontario.  
19 George V, 1929.

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BILL.

The Statute Law Amendment Act, 1929.

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*1st Reading*

March 19th, 1929.

*2nd Reading*

March 21st, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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TORONTO:

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# BILL

## An Act respecting the Acquisition of Land for Industrial Sites.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Industrial Sites Act, 1929*. Short title.
2. The council of any city, town, township or village may with the assent of the electors qualified to vote on money by-laws pass by-laws to acquire and expropriate land under and subject to the provisions of *The Municipal Act* and sell or lease the same for the purpose of sites for the establishment and carrying on of industries and industrial operations. Acquiring of land for industrial sites with assent of electors. Rev. Stat. C. 233.
3. The assent of the electors may be obtained by the submission of a general by-law authorizing the acquiring or expropriation of land for industrial sites and for borrowing money for that purpose not exceeding a stated amount, and if the assent of the electors is obtained to such general by-law the council may by a two-thirds vote of all the members and without further assent pass by-laws from time to time to borrow money for such purpose by the issue of debentures payable within a term not exceeding thirty years from the issue thereof. Submission of general by-law.
4. Any land so acquired shall not be sold or leased except at a price or rental which may be determined by a judge of the county or district court on application to him for that purpose, as the fair market value or fair rental value, as the case may be, of the land having regard to: Restrictions on sale or leasing.
  - (a) the price paid by the municipality for the land, including all carrying charges thereon; and
  - (b) the proximity to transportation facilities of the particular parcel proposed to be sold or leased and its value in relation to the value of the whole block acquired.
5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act respecting the Acquisition of Land  
for Industrial Sites.

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*1st Reading*

March 19th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Acquisition of Land for Industrial Sites.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Industrial Sites Act, 1929.* Short title.

2. The council of any city, town, township or village may with the assent of the electors qualified to vote on money by-laws pass by-laws to acquire and expropriate land under and subject to the provisions of *The Municipal Act* and sell or lease the same for the purpose of sites for the establishment and carrying on of industries and industrial operations. Acquiring of land for industrial sites with assent of electors. Rev. Stat. C. 233.

3. The assent of the electors may be obtained by the submission of a general by-law authorizing the acquiring or expropriation of land for industrial sites and for borrowing money for that purpose not exceeding a stated amount, and if the assent of the electors is obtained to such general by-law the council may by a two-thirds vote of all the members and without further assent pass by-laws from time to time to borrow money for such purpose by the issue of debentures payable within a term not exceeding thirty years from the issue thereof. Submission of general by-law.

4. Any land so acquired shall not be sold or leased except at a price or rental which may be determined by a judge of the county or district court on application to him for that purpose, as the fair market value or fair rental value, as the case may be, of the land having regard to Restrictions on sale or leasing.

- (a) the price paid by the municipality for the land, including all carrying charges thereon; and
- (b) the proximity to transportation facilities of the particular parcel proposed to be sold or leased and its value in relation to the value of the whole block acquired.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act respecting the Acquisition of Land  
for Industrial Sites.

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*1st Reading*

March 19th, 1929.

*2nd Reading*

March 21st, 1929.

*3rd Reading*

March 26th, 1929.

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Optometry Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Optometry Act, 1929*. Short title.

2. Section 1 of *The Optometry Act* is amended by adding thereto the following clauses: Rev. Stat.,  
c. 215,  
amended.

- (c) "Ophthalmic lens" shall mean any form of lens or prism or the combination of the same, devised for the relief or correction of any visual or muscular error or defect of the eye. Inter-pretation  
"Ophthalmic lens."
- (d) "Optometry" shall mean the measurement of or the attempt to measure by any means the refractive or muscular condition of the eye, the prescribing of any ophthalmic lens or lenses or the prescribing of any spectacles or eye-glasses to any person for the relief or correction of any visual or muscular error or defect of the eye. "Opto-  
metry."
- (e) "Optometrist" shall mean any person who practises optometry as herein defined. "Opto-  
metrist."
- (f) "Optician" shall mean any person who dispenses any ophthalmic lens or lenses or spectacles or eye-glasses devised for the relief or correction of any visual or muscular error or defect of the eye, or repairs the same, or fills any optometrist's or oculist's prescription for any such lenses, spectacles or eye-glasses. "Optician."
- (g) Without in any way limiting the generality of the term "prescribe" it shall in this Act also be deemed to include the self-measurement by any person of the refractive or muscular condition of the eye if such measurement shall be made by means of an instru- "Prescribe."

ment supplied or loaned for the purpose, and the person who supplies the instrument or loans the same, and his agent, shall be deemed to "prescribe" within the meaning of this Act.

Rev. Stat.,  
c. 215, s. 8,  
sub. 1,  
amended.

**3.** Subsection 1 of section 8 of *The Optometry Act* is amended by striking out the word "found" in the third line thereof.

Rev. Stat.,  
c. 215, s. 9,  
repealed.

**4.** Section 9 of *The Optometry Act* is repealed and the following substituted therefor:

Offences.

9.—(1) Every person,—

- (a) Not being the holder of a certificate under this Act who practises optometry or as an optician, or appends to his name the term "optometrist" or "optician" or any abbreviation thereof, or wilfully or falsely pretends to be, or wilfully or falsely takes or uses any name, title, addition, abbreviation or description implying, or calculated to lead any person to believe, that he is or is recognized by law as an optometrist or optician as the case may be, or that he is registered or possesses a certificate as an optometrist or optician under this Act, or
- (b) Whether he is the holder of a certificate under this Act or not, who has been prohibited by the Board from the practising as an optometrist or optician and disobeys such prohibition, or
- (c) Whether he is the holder of a certificate under this Act or not, who practises or carries on business as an optometrist or optician in any other manner than from a permanent place of business without having first obtained the permission of and a license from the Board and upon such terms and conditions as the Board may from time to time prescribe and notwithstanding that he is the holder of a municipal license as a peddler or transient trader, or
- (d) Whether he is the holder of a certificate under this Act or not, who, except in cases of replacement or duplication, sells or offers to sell by mail, or sells or offers to sell through an agent or travelling salesman, or prescribes by mail or through an agent or travelling

salesman, any ophthalmic lens or spectacles or eye-glasses devised for the relief or correction of any visual or muscular error or defect of the eye, or

- (e) Whether he is the holder of a certificate under this Act or not, who causes to be printed or published or distributed any false or misleading advertisement with respect to the sale of any ophthalmic lens or spectacles or eye-glasses devised for the relief or correction of any visual or muscular error or defect of the eye

shall be guilty of an offence and shall incur a penalty <sup>Penalties.</sup> of not more than \$100 or less than \$10 for the first offence, and not more than \$500 or less than \$25 for the second offence.

- (2) *The Summary Convictions Act* shall apply to offences <sup>Application of Rev. Stat., c. 121.</sup> under this Act.

**5.** Section 10 of *The Optometry Act* is repealed and the <sup>Rev. Stat., c. 215, s. 10, repealed.</sup> following substituted therefor:

10.—(a) Nothing in this Act shall be deemed to apply to a <sup>Exemption from operation of Act.</sup> duly qualified medical practitioner registered under the laws of the Province of Ontario, or to any person, firm or corporation carrying on business in the Province of Ontario as a *bona fide* wholesale manufacturer of optical goods who does not prescribe directly or indirectly by mail or through an agent or travelling salesman or otherwise in any manner whatsoever, any ophthalmic lens or spectacles or eye-glasses devised for the relief or correction of any visual or muscular error or defect of the eye.

(b) Nothing in this Act shall be deemed to prevent the unrestricted sale of protection glasses for industrial purposes, coloured glasses not embodying an ophthalmic lens or lenses, goggles or simple magnifying glasses not sold or devised for the relief or correction of any visual or muscular error or defect of the eye.

**6.** This Act shall come into force on the day upon which <sup>Commencement of Act.</sup> it receives the Royal Assent.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Optometry Act.

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*1st Reading*

March 19th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Security Frauds Prevention Act, 1928.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Security Frauds Prevention Act, 1929*. Short title.

2. Subsection 2 of section 6 of *The Security Frauds Prevention Act, 1928*, is amended by inserting after the word "Attorney-General" in the fourth line the words "or any other bond." 1928, c. 34, s. 6, amended.

3.—(1) Section 7 of the said Act is amended by adding thereto the following subsection: 1928, c. 34, s. 7, amended.

(1a) Any bond mentioned in section 6 shall be forfeit and the sum named therein shall become due and owing by the person or company bound thereby as a debt to His Majesty in right of the Province of Ontario when there has been filed with the Registrar a certificate signed by the Attorney-General that proceedings by or in respect of the person or company in respect of whose conduct the bond is conditioned have been taken,—

(a) under the *Bankruptcy Act*, or

(b) in the case of a company, by way of winding up.

(2) Subsection 2 of the said section is amended by deleting the words "subsection 1" in the second line and substituting therefor the words "subsections 1 and 1a."

4. Subsection 1 of section 8 of the said Act is amended by adding thereto the following clause: 1928, c. 34, s. 8, subs. 1, amended.

(bb) any permanent entry in the register shall be cancelled upon,— Permanent entries.

- (i) any proceedings being taken by or in respect of the registered person or company under the *Bankruptcy Act* or in the case of a registered company, by way of winding up, or
- (ii) suspension from any stock exchange of any registered person or the representative upon any stock exchange of any registered company.

1928,  
c. 34, s. 12,  
amended.

**5.** Section 12 of the said Act is amended by adding thereto the following subsection:

Notice to  
Registrars  
of Deeds or  
Masters of  
Titles.

- (2a) In any of the circumstances mentioned in clauses (a), (b) or (c) of subsection 1, the Attorney-General may in writing or by telegram notify any Registrar of Deeds or Master of Titles or any Local Master of Titles or any Mining Recorder that proceedings are being or are about to be taken which may affect land or mining claims belonging to the person or company referred to in the said notice which notice shall be registered against the lands or claims mentioned therein and shall have the same effect as the registration of a certificate of *lis pendens*, save that the Attorney-General may in writing revoke or modify such notice.

1928,  
c. 34, s. 16,  
amended.

**6.** Section 16 of the said Act is amended by adding thereto the following subsection:

Apportion-  
ment of  
penalty on  
company  
among  
officers, etc.

- (2a) Where any company is convicted under this Act the magistrate may direct that, in default of payment of the penalty imposed, proportionate parts thereof shall be paid by such officers, directors, officials or employees of the company, and in such amounts as he shall designate, and in default of payment by any person so designated the magistrate may impose a penalty of imprisonment for a term not exceeding six months.

1928, c. 34,  
amended.

**7.** The said Act is further amended by adding thereto the following section:

Collection of  
costs of in-  
vestigation.

16a. Where in consequence of an investigation under Part II of this Act, any person or company has been,—

- (a) convicted of a criminal offence; or
- (b) convicted of an offence against any provision of this Act or the Regulations; or

- (c) enjoined by the Supreme Court or a judge thereof otherwise than by an interim injunction,

the Attorney-General may certify in writing as to the costs of the investigation and shall be entitled to take such proceedings as are available to a judgment creditor for the collection from such person or company of the sum set forth in such certificate, which sum shall be a debt to His Majesty in right of the Province of Ontario.

8. The said Act is further amended by adding thereto the following sections which shall constitute Part IV of the said Act. <sup>1928, c. 34, amended.</sup>

#### PART IV.

##### AUDIT, ACCOUNTS, INFORMATION.

19.—(1) In this Part:

Inter-pretation

- (a) "Brokers' Auditor" shall mean an accountant <sup>"Brokers' Auditor."</sup> whose name is on the panel of accountants approved by an executive committee.
- (b) "Executive Committee" shall include the <sup>"Executive Committee."</sup> board of directors, managing committee or other governing committee of a stock exchange in Ontario.

- (2) Any executive committee may from time to time <sup>Panel of brokers' auditors.</sup> select a panel of accountants each of whom shall have practised as such in Ontario for not less than five years and shall be known as a brokers' auditor, and may also employ an accountant for its own <sup>Exchange auditor.</sup> purposes to be known as the exchange auditor.

- (3) The executive committee shall allot to each brokers' <sup>Allotment of audits.</sup> auditor the persons or companies, whether members of or represented upon the exchange, which are to be audited by him, and all of the expenses of every audit are to be paid to the brokers' auditor by the executive committee, subject to full repayment forthwith by the person or company audited, and until such repayment is made the executive committee shall have a lien upon the seat belonging to or controlled by the person or company so indebted to the executive committee.

- (4) Every brokers' auditor shall at least twice in each <sup>Duties of auditor.</sup> year make a complete audit of the business and

affairs of each person or company allotted to him, such audit to be made at irregular intervals, supplemented by such partial audits as the auditor may deem advisable or the executive committee may direct, but no warning or notice shall in any way be given of any such whole or partial audit.

Special  
audit.

- (5) The executive committee of a stock exchange may at any time require any brokers' auditor upon the panel of accountants of the exchange to make any general or special audit or report upon the whole or any aspect of the business or affairs of any person or company who is or has been a member of or in any way represented upon the exchange.

Powers  
of auditors.

- (6) Every brokers' auditor, for the purpose of any audit under the provisions of this section shall be entitled to free access to all books of account, securities, cash, documents, bank accounts, vouchers, correspondence and records of every description of the person or company being audited, and any person or company withholding, destroying, concealing or refusing to give any information or thing reasonably required by the auditor for the purpose of his audit, shall be guilty of an offence.

Auditors'  
reports.

- (7) Every brokers' auditor during or upon the completion of every audit under the provisions of this section shall send a copy of every report whether interim or final to the exchange auditor and shall in addition specially report to such auditor any particular information which may be required under the by-laws, rules or regulations of the exchange and any further information which the brokers' auditor deems it to be in the public interest so to report, and the exchange auditor shall summarize all information so received, and report thereon to the executive committee for scrutiny, identifying the person or company affected thereby by number only until the executive committee decides to take action in respect of any such person or company.

Power  
to examine.

- (8) Any person designated in writing by an executive committee may examine under oath any member of the exchange or any officer of any company represented thereon, or any associate or employee of any such person or company upon any matter arising out of any report of a brokers' auditor and for the purposes of such inquiry the person so designated shall have all the powers which may be conferred

upon a commissioner under *The Public Inquiries Act*.

- (9) Any executive committee may in writing, require any person or company whose affairs have been audited or are being audited to alter, supplement or replace any system of book or record keeping in any manner. Change of accounting system.
- (10) Failure by any person or company, a member of or represented upon any stock exchange, to comply with any requirement of the executive committee of the exchange, or any person designated by it under subsection 8 hereof, shall constitute an offence and shall entitle the executive committee to suspend such person or member representing such company for such period as the said committee shall determine. Failure to comply.
- (11) No action shall lie against any executive committee or any member thereof, or any person designated by it under subsection 8 hereof, or against any brokers' or exchange auditor in respect of any act or proceeding, under the provisions of this section. No action against auditors, etc.
- 20.—(1) Every registered broker and salesman and every official of a registered partnership or company shall be guilty of an offence, who, by personal canvass endeavours to induce any person to acquire any security not exempted herefrom under the provisions of subsection 2 without giving to such person during the first interview and before entering into any contract with such person, a statement clearly setting forth, in type not smaller than ten point,— An offence to fail to give.
- (a) all of the information contained in the latest prospectus of the company or organization issuing the security sought to be disposed of, as filed with the Provincial Secretary under *The Companies Information Act, 1928*, and also A prospectus and
- (b) whether the security sought to be disposed of is a "treasury" or "non-treasury" security as the case may be, and the designation shall be "treasury" if the security is to be or was issued directly by the company or organization only in return for a cash contribution to its treasury, otherwise the designation shall be "non-treasury" and such information shall in every case be in ink of a colour which is in contrast to that used in other parts of any Whether the security is a treasury issue.

document upon which the statement may appear.

- (2) The provisions of subsection 1 shall apply in respect of every security not being traded in upon the Toronto Stock Exchange, the Standard Stock and Mining Exchange, the Montreal Stock Exchange, the New York Stock Exchange, and any other stock exchange from time to time designated in the Regulations; and the Attorney-General may in writing exempt any security or any class of security from the provisions of this section and may cancel any such exemption.

Commence-  
ment of  
Act.

**9.** This Act shall come into force on the day upon which it receives the Royal Assent.



Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Security Frauds  
Prevention Act, 1928.

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*1st Reading*

March 19th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Security Frauds Prevention Act, 1928.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Security Frauds Prevention Act, 1929*. Short title.

**2.** Subsection 2 of section 6 of *The Security Frauds Prevention Act, 1928*, is amended by inserting after the word "Attorney-General" in the fourth line the words "or any other bond." 1928, c. 34, s. 6, amended.

**3.—(1)** Section 7 of the said Act is amended by adding thereto the following subsection: 1928, c. 34, s. 7, amended.

(1a) Any bond mentioned in section 6 shall be forfeit and the sum named therein shall become due and owing by the person or company bound thereby as a debt to His Majesty in right of the Province of Ontario when there has been filed with the Registrar a certificate signed by the Attorney-General that proceedings by or in respect of the person or company in respect of whose conduct the bond is conditioned have been taken,—

(a) under the *Bankruptcy Act*, or

(b) in the case of a company, by way of winding up.

(2) Subsection 2 of the said section is amended by deleting the words "subsection 1" in the second line and substituting therefor the words "subsections 1 and 1a."

**4.** Subsection 1 of section 8 of the said Act is amended by adding thereto the following clause: 1928, c. 34, s. 8, subs. 1, amended.

(bb) any permanent entry in the register shall be cancelled upon,— Permanent entries.

- (i) any proceedings being taken by or in respect of the registered person or company under the *Bankruptcy Act* or in the case of a registered company, by way of winding up, or
- (ii) suspension from any stock exchange of any registered person or the representative upon any stock exchange of any registered company.

1928,  
c. 34, s. 12,  
amended.

**5.** Section 12 of the said Act is amended by adding thereto the following subsection:

Notice to  
Registrars  
of Deeds or  
Masters of  
Titles.

- (2a) In any of the circumstances mentioned in clauses (a), (b) or (c) of subsection 1, the Attorney-General may in writing or by telegram notify any Registrar of Deeds or Master of Titles or any Local Master of Titles or any Mining Recorder that proceedings are being or are about to be taken which may affect land or mining claims belonging to the person or company referred to in the said notice which notice shall be registered against the lands or claims mentioned therein and shall have the same effect as the registration of a certificate of *lis pendens*, save that the Attorney-General may in writing revoke or modify such notice.

1928,  
c. 34, s. 16,  
amended.

**6.** Section 16 of the said Act is amended by adding thereto the following subsection:

Apportion-  
ment of  
penalty on  
company  
among  
officers, etc.

- (2a) Where any company is convicted under this Act the magistrate may direct that, in default of payment of the penalty imposed, proportionate parts thereof shall be paid by such officers, directors, officials or employees of the company, and in such amounts as he shall designate, and in default of payment by any person so designated the magistrate may impose a penalty of imprisonment for a term not exceeding six months.

1928, c. 34,  
amended.

**7.** The said Act is further amended by adding thereto the following section:

Collection of  
costs of in-  
vestigation.

16a. Where in consequence of an investigation under Part II of this Act, any person or company has been,—

- (a) convicted of a criminal offence; or
- (b) convicted of an offence against any provision of this Act or the Regulations; or

- (c) enjoined by the Supreme Court or a judge thereof otherwise than by an interim injunction,

the Attorney-General may certify in writing as to the costs of the investigation and shall be entitled to take such proceedings as are available to a judgment creditor for the collection from such person or company of the sum set forth in such certificate, which sum shall be a debt to His Majesty in right of the Province of Ontario.

8. The said Act is further amended by adding thereto the following sections which shall constitute Part IV of the said Act. <sup>1928, c. 34, amended.</sup>

#### PART IV.

##### AUDIT, ACCOUNTS, INFORMATION.

19.—(1) In this Part:

Inter-pretation

(a) "Brokers' Auditor" shall mean an accountant whose name is on the panel of accountants approved by an executive committee. <sup>"Brokers' Auditor."</sup>

(b) "Exchange Auditor" shall mean an accountant other than a brokers' auditor and not in any way connected with a brokers' auditor and who is employed upon full time by an executive committee. <sup>"Exchange Auditor."</sup>

(c) "Executive Committee" shall include the board of directors, managing committee or other governing committee of a stock exchange in Ontario. <sup>"Executive Committee."</sup>

(2) Any executive committee may from time to time select a panel of accountants each of whom shall have practised as such in Ontario for not less than five years and shall be known as a brokers' auditor, and may also employ an exchange auditor. <sup>Panel of brokers' auditors.</sup>  
<sup>Exchange auditor.</sup>

(3) The executive committee shall allot to each brokers' auditor the persons or companies, whether members of or represented upon the exchange, which are to be audited by him, and all of the expenses of every audit are to be paid to the brokers' auditor by the executive committee, subject to full repayment forthwith by the person or company audited, and until such repayment is made the executive committee <sup>Allotment of audits.</sup>

shall have a lien upon the seat belonging to or controlled by the person or company so indebted to the executive committee.

Duties of auditor.

- (4) Every brokers' auditor shall at least twice in each year make a complete audit of the business and affairs of each person or company allotted to him, such audit to be made at irregular intervals, supplemented by such partial audits as the auditor may deem advisable or the executive committee may direct, but no warning or notice shall in any way be given of any such whole or partial audit.

Special audit.

- (5) The executive committee of a stock exchange may at any time require any brokers' auditor upon the panel of accountants of the exchange to make any general or special audit or report upon the whole or any aspect of the business or affairs of any person or company who is or has been a member of or in any way represented upon the exchange.

Powers of auditors.

- (6) Every brokers' auditor, for the purpose of any audit under the provisions of this section shall be entitled to free access to all books of account, securities, cash, documents, bank accounts, vouchers, correspondence and records of every description of the person or company being audited, and any person or company withholding, destroying, concealing or refusing to give any information or thing reasonably required by the auditor for the purpose of his audit, shall be guilty of an offence.

Auditors' reports.

- (7) Every brokers' auditor during or upon the completion of every audit under the provisions of this section shall send a copy of every report whether interim or final to the exchange auditor and shall in addition specially report to such auditor any particular information which may be required under the by-laws, rules or regulations of the exchange and any further information which the brokers' auditor deems it to be in the public interest so to report, and the exchange auditor shall summarize all information so received, and report thereon to the executive committee for scrutiny, identifying the person or company affected thereby by number only until the executive committee decides to take action in respect of any such person or company.

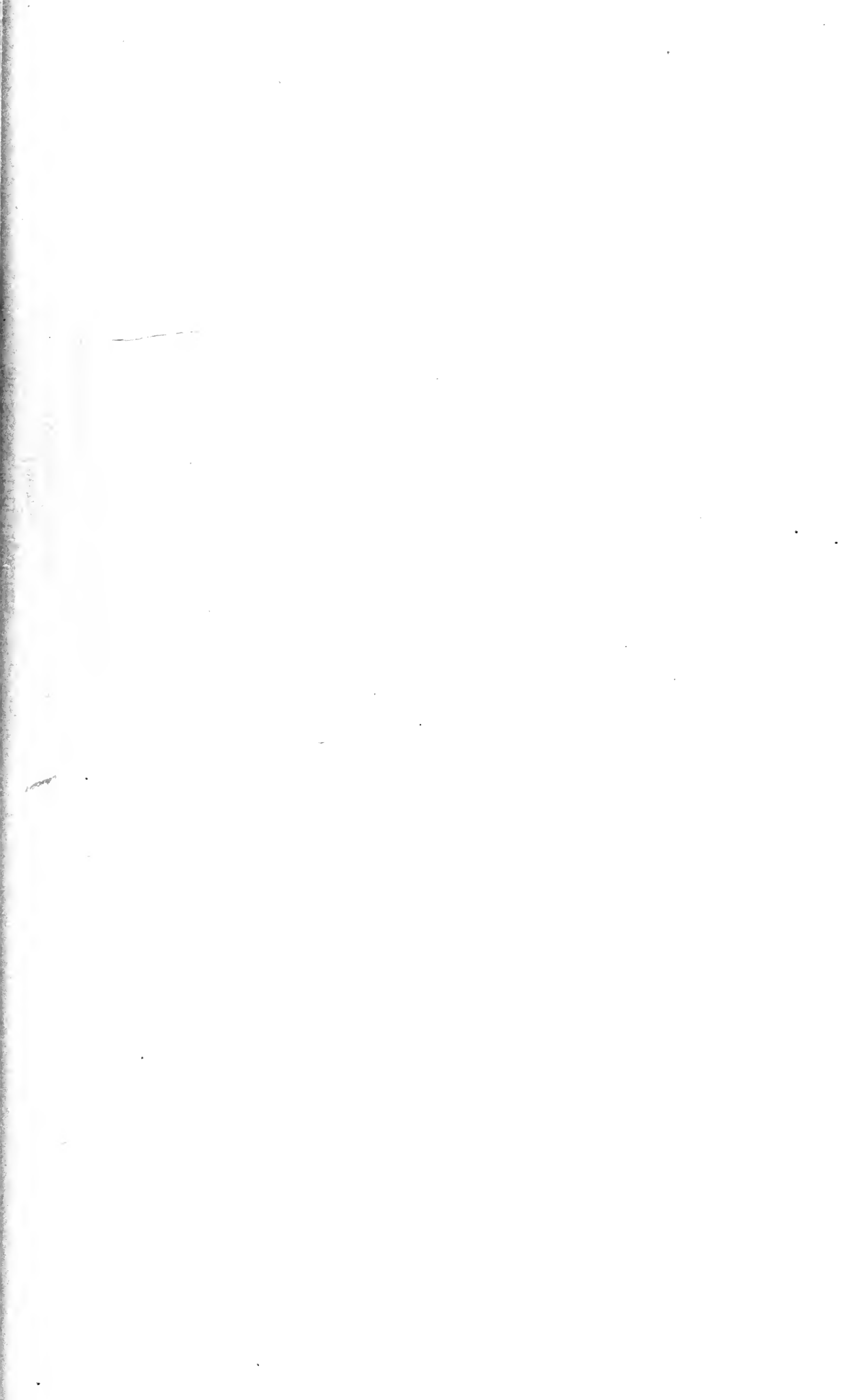
Power to examine.

- (8) Any person designated in writing by an executive committee may examine under oath any member of

the exchange or any officer of any company represented thereon, or any associate or employee of any such person or company upon any matter arising out of any report of a brokers' auditor and for the purposes of such inquiry the person so designated shall have all the powers which may be conferred upon a commissioner under *The Public Inquiries Act*.

- (9) Any executive committee may in writing, require any person or company whose affairs have been audited or are being audited to alter, supplement or replace any system of book or record keeping in any manner. <sup>Change of accounting system.</sup>
- (10) Failure by any person or company, a member of or represented upon any stock exchange, to comply with any requirement of the executive committee of the exchange, or any person designated by it under subsection 8 hereof, shall constitute an offence and shall entitle the executive committee to suspend such person or member representing such company for such period as the said committee shall determine. <sup>Failure to comply.</sup>
- (11) No action shall lie against any executive committee or any member thereof, or any person designated by it under subsection 8 hereof, or against any brokers' or exchange auditor in respect of any act or proceeding, under the provisions of this section. <sup>No action against auditors, etc.</sup>
- 9.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>





3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Security Frauds  
Prevention Act, 1928.

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*1st Reading*

March 19th, 1929.

*2nd Reading*

March 22nd, 1929.

*3rd Reading*

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MR. PRICE.

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*(Reprinted as amended in Committee of the  
Whole House.)*

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Security Frauds Prevention Act, 1928.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Security Frauds Prevention Act, 1929.* Short title.

**2.** Subsection 2 of section 6 of *The Security Frauds Prevention Act, 1928,* is amended by inserting after the word "Attorney-General" in the fourth line the words "or any other bond." 1928, c. 34, s. 6, subs. 2, amended.

**3.—(1)** Section 7 of the said Act is amended by adding thereto the following subsection: 1928, c. 34, s. 7, amended.

(1a) Any bond mentioned in section 6 shall be forfeit and the sum named therein shall become due and owing by the person or company bound thereby as a debt to His Majesty in right of the Province of Ontario when there has been filed with the Registrar a certificate signed by the Attorney-General that proceedings by or in respect of the person or company in respect of whose conduct the bond is conditioned have been taken,—

Forfeiture upon bankruptcy or winding up proceedings.

(a) under the *Bankruptcy Act,* or

(b) in the case of a company, by way of winding up.

(2) Subsection 2 of the said section is amended by deleting the words "subsection 1" in the second line and substituting therefor the words "subsections 1 and 1a." 1928, c. 34, s. 7, subs. 2, amended.

**4.** Subsection 1 of section 8 of the said Act is amended by adding thereto the following clause: 1928, c. 34, s. 8, subs. 1, amended.

(bb) any permanent entry in the register shall be cancelled upon,— Permanent entries.

- (i) any proceedings being taken by or in respect of the registered person or company under the *Bankruptcy Act* or in the case of a registered company, by way of winding up, or
- (ii) suspension from any stock exchange of any registered person or the representative upon any stock exchange of any registered company.

1928,  
c. 34, s. 12,  
amended.

**5.** Section 12 of the said Act is amended by adding thereto the following subsection:

Notice to  
Registrars  
of Deeds or  
Masters of  
Titles.

- (2a) In any of the circumstances mentioned in clauses (a), (b) or (c) of subsection 1, the Attorney-General may in writing or by telegram notify any Registrar of Deeds or Master of Titles or any Local Master of Titles or any Mining Recorder that proceedings are being or are about to be taken which may affect land or mining claims belonging to the person or company referred to in the said notice which notice shall be registered against the lands or claims mentioned therein and shall have the same effect as the registration of a certificate of *lis pendens*, save that the Attorney-General may in writing revoke or modify such notice.

1928,  
c. 34, s. 16,  
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**6.** Section 16 of the said Act is amended by adding thereto the following subsection:

Apportion-  
ment of  
penalty on  
company  
among  
officers, etc.

- (2a) Where any company is convicted under this Act the magistrate may direct that, in default of payment of the penalty imposed, proportionate parts thereof shall be paid by such officers, directors, officials or employees of the company, and in such amounts as he shall designate, and in default of payment by any person so designated the magistrate may impose a penalty of imprisonment for a term not exceeding six months.

1928, c. 34,  
amended.

**7.** The said Act is further amended by adding thereto the following section:

Collection of  
costs of in-  
vestigation.

16a. Where in consequence of an investigation under Part II of this Act, any person or company has been,—

- (a) convicted of a criminal offence; or
- (b) convicted of an offence against any provision of this Act or the Regulations; or

(c) enjoined by the Supreme Court or a judge thereof otherwise than by an interim injunction,

the Attorney-General may certify in writing as to the costs of the investigation and shall be entitled to take such proceedings as are available to a judgment creditor for the collection from such person or company of the sum set forth in such certificate, which sum shall be a debt to His Majesty in right of the Province of Ontario.

8. The said Act is further amended by adding thereto the following sections which shall constitute Part IV of the said Act. <sup>1928, c. 34, amended.</sup>

PART IV.

AUDIT, ACCOUNTS, INFORMATION.

19.—(1) In this Part:

Inter-pretation

(a) "Brokers' Auditor" shall mean an accountant whose name is on the panel of accountants approved by an executive committee. <sup>"Brokers' Auditor."</sup>

(b) "Exchange Auditor" shall mean an accountant other than a brokers' auditor and not in any way connected with a brokers' auditor and who is employed upon full time by an executive committee. <sup>"Exchange Auditor."</sup>

(c) "Executive Committee" shall include the board of directors, managing committee or other governing committee of a stock exchange in Ontario. <sup>"Executive Committee."</sup>

(2) Any executive committee may from time to time select a panel of accountants each of whom shall have practised as such in Ontario for not less than five years and shall be known as a brokers' auditor, and may also employ an exchange auditor. <sup>Panel of brokers' auditors.</sup>  
<sub>Exchange auditor.</sub>

(3) The executive committee shall allot to each brokers' auditor the persons or companies, whether members of or represented upon the exchange, which are to be audited by him, and all of the expenses of every audit are to be paid to the brokers' auditor by the executive committee, subject to full repayment forthwith by the person or company audited, and until such repayment is made the executive committee <sup>Allotment of audits.</sup>

shall have a lien upon the seat belonging to or controlled by the person or company so indebted to the executive committee.

Duties of  
auditor.

- (4) Every brokers' auditor shall at least twice in each year make a complete audit of the business and affairs of each person or company allotted to him, such audit to be made at irregular intervals, supplemented by such partial audits as the auditor may deem advisable or the executive committee may direct, but no warning or notice shall in any way be given of any such whole or partial audit.

Special  
audit.

- (5) The executive committee of a stock exchange may at any time require any brokers' auditor upon the panel of accountants of the exchange to make any general or special audit or report upon the whole or any aspect of the business or affairs of any person or company who is or has been a member of or in any way represented upon the exchange.

Powers  
of auditors.

- (6) Every brokers' auditor, for the purpose of any audit under the provisions of this section shall be entitled to free access to all books of account, securities, cash, documents, bank accounts, vouchers, correspondence and records of every description of the person or company being audited, and any person or company withholding, destroying, concealing or refusing to give any information or thing reasonably required by the auditor for the purpose of his audit, shall be guilty of an offence.

Auditors'  
reports.

- (7) Every brokers' auditor during or upon the completion of every audit under the provisions of this section shall send a copy of every report whether interim or final to the exchange auditor and shall in addition specially report to such auditor any particular information which may be required under the by-laws, rules or regulations of the exchange and any further information which the brokers' auditor deems it to be in the public interest so to report, and the exchange auditor shall summarize all information so received, and report thereon to the executive committee for scrutiny, identifying the person or company affected thereby by number only until the executive committee decides to take action in respect of any such person or company.

Power  
to examine.

- (8) Any person designated in writing by an executive committee may examine under oath any member of

the exchange or any officer of any company represented thereon, or any associate or employee of any such person or company upon any matter arising out of any report of a brokers' auditor and for the purposes of such inquiry the person so designated shall have all the powers which may be conferred upon a commissioner under *The Public Inquiries Act*.

- (9) Any executive committee may in writing, require any person or company whose affairs have been audited or are being audited to alter, supplement or replace any system of book or record keeping in any manner. <sup>Change of accounting system.</sup>
- (10) Failure by any person or company, a member of or represented upon any stock exchange, to comply with any requirement of the executive committee of the exchange, or any person designated by it under subsection 8 hereof, shall constitute an offence and shall entitle the executive committee to suspend such person or member representing such company for such period as the said committee shall determine. <sup>Failure to comply.</sup>
- (11) No action shall lie against any executive committee or any member thereof, or any person designated by it under subsection 8 hereof, or against any brokers' or exchange auditor in respect of any act or proceeding, under the provisions of this section. <sup>No action against auditors, etc.</sup>

9. This Act shall come into force on the day upon which it receives the Royal Assent except clause *b* of subsection 1 of section 19 as enacted by section 8 hereof, which clause shall come into force on a day to be named by the Lieutenant-Governor by his proclamation. <sup>Commencement of Act.</sup>





3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Security Frauds  
Prevention Act, 1928.

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*1st Reading*

March 19th, 1929.

*2nd Reading*

March 22nd, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Constables Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Constables Act, 1929*.

Short title.

2. Section 8 of *The Constables Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 125, s. 8,  
repealed.

8.—(1) Every high constable appointed by the municipal council of any county, who is in office at the date of the commencement of this Act, shall continue to hold office as a high constable during the pleasure of the council or until he resigns or until there is a vacancy in the office through any cause.

High  
constable  
appointed  
by counties  
to continue  
in office.

(2) Every high constable shall be paid by the county such remuneration by salary or otherwise, be allowed by the county such sums for expenses, and be supplied by the county with such arms, accoutrements, clothing and other necessaries as may be prescribed by the regulations made under this Act.

High  
constables,—  
remunera-  
tion of.

(3) In any county, in which there is no high constable in office at the date of the commencement of this Act, and in any county in which a vacancy occurs in that office after the said date, and in any other county when the office of high constable becomes vacant, the Lieutenant-Governor in Council may appoint an officer for such county or one or more counties, who shall be vested with all the powers and perform all the duties of a high constable under the provisions of this Act, and be subject to suspension as herein-after provided by this Act.

Appoint-  
ment by  
Lieutenant-  
Governor in  
Council.

(4) Any officer appointed under subsection 3, shall be paid out of such sums as may from time to time be appropriated by the Legislature of the Province of

Remunera-  
tion when  
appointed  
under  
subs. 3.

Ontario, such salary as may be determined by the Lieutenant-Governor in Council.

Rev. Stat.,  
c. 125, s. 9,  
repealed.

3. Section 9 of *The Constables Act* is repealed.

Rev. Stat.,  
c. 125, s. 10,  
subs. 2,  
repealed.

4. Subsection 2 of section 10 of *The Constables Act* is repealed and the following substituted therefor:

Oath to be  
deposited  
with clerk of  
the peace.

(2) The oath, together with a copy of the by-law under which a high constable has been appointed, shall be deposited in the office of the clerk of the peace of the county for which he has been appointed, and the oath of every officer appointed after the date of the commencement of this Act, to perform the duties of a high constable under the provisions of this Act, shall be deposited with the Commissioner of Police for Ontario.

Rev. Stat.,  
c. 125, s. 13,  
subs. 1,  
amended.

5. Subsection 1 of section 13 of *The Constables Act* is amended by striking out the words "Inspector of Legal Offices" in the fourth line, and inserting in lieu thereof the words "Commissioner of Police for Ontario."

Rev. Stat.,  
c. 125, s. 14,  
heading  
amended.

6.—(1) The heading of section 14 of *The Constables Act*, namely: "*Inquiries by Inspectors*" is repealed and the following heading substituted therefor: "*Inquiries by Commissioner.*"

Rev. Stat.,  
c. 125, s. 14,  
subs. 1,  
amended.

(2) Subsection 1 of the said section 14 is amended by striking out the words "Inspector of Legal Offices" in the first line and inserting in lieu thereof the words "Commissioner of Police for Ontario."

Rev. Stat.,  
c. 125, s. 14,  
subs. 2,  
amended.

(3) Subsection 2 of the said section 14 is amended by striking out the word "Inspector" in the first line and inserting in lieu thereof the words "Commissioner of Police for Ontario."

Rev. Stat.,  
c. 125, s. 15,  
repealed.

7. Section 15 of *The Constables Act* is repealed and the following substituted therefor:

Suspension  
of constable.

15.—(1) A judge of the county court, or the Commissioner of Police for Ontario, may suspend from office any high constable appointed by the municipal council of a county, or any county constable for any period not extending beyond one week after the time appointed for the next sittings of the Court of General Sessions of the Peace.

Suspension  
to be re-  
ported to  
clerk of the  
peace.

(2) The suspension shall be by notice in writing and, if the judge or the Commissioner of Police for Ontario considers the suspended officer deserving of dis-

missal, he shall, immediately after suspending him, report the case fully to the clerk of the peace for submission to the Court of General Sessions of the Peace at its next sittings.

- (3) The court may dismiss the officer or direct him to be restored to his office, after the period of his suspension has expired, or after such further period as may be deemed proper. Dismissal.  
Restoration to office.
- (4) Subsections 1 to 3 shall not apply to an officer appointed to perform the duties of a high constable under the provisions of this Act by the Lieutenant-Governor in Council, but in all such cases the Commissioner of Police for Ontario may suspend any such officer so appointed, and after investigation upon notice to the officer, and subject to the approval of the Lieutenant-Governor in Council, may dismiss or direct such officer to be restored to his office after the period of his suspension has expired, or after such further period as may be deemed proper. Suspension and dismissal of high constable.
- (5) This section shall not apply to any county for which there is a county board of commissioners of police, at the time of the passing of this Act. Extent of application of section.

**8.** Section 19 of *The Constables Act* is amended by striking out the words "Provincial Secretary" in the fourth line and inserting in lieu thereof the words "Commissioner of Police for Ontario." Rev. Stat., c. 125, s. 19, amended.

**9.** Subsection 2 of section 22 of *The Constables Act* is amended by striking out the words "Provincial Secretary" in the second line, and inserting in lieu thereof the words "Commissioner of Police for Ontario." Rev. Stat., c. 125, s. 22, subs. 2, amended.

**10.** Section 25 of *The Constables Act* is repealed and the following substituted therefor: Rev. Stat., c. 125, s. 25, repealed.

25. The justices who have appointed a special constable, or the Commissioner of Police for Ontario, may suspend or terminate the service of the special constable so appointed, and notice of such suspension or termination shall, when made by the justices, be forthwith transmitted to the Commissioner of Police for Ontario. Suspension or termination of service of special constable.

**11.** Section 26 of *The Constables Act* is repealed and the following substituted therefor: Rev. Stat., c. 125, s. 26, repealed.

Powers  
of county  
judge and  
Commis-  
sioner of  
Police.

26. The county judge, or the Commissioner of Police for Ontario, may exercise the powers herein conferred upon two justices of the peace as to special constables.

Commence-  
ment of  
Act.

**12.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.







3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL

An Act to amend The Constables Act.

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*1st Reading*

March 20th, 1929.

*2nd Reading*

*3rd Reading*

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MR. PRICE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to amend The Constables Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Constables Act, 1929*. Short title.

2. Section 8 of *The Constables Act* is repealed and the following substituted therefor: Rev. Stat., c. 125, s. 8, repealed.

8.—(1) Every high constable appointed by the municipal council of any county, who is in office at the date of the commencement of this Act, shall continue to hold office as a high constable during the pleasure of the council or until he resigns or until there is a vacancy in the office through any cause. High constable appointed by counties to continue in office.

(2) Every high constable shall be paid by the county such remuneration by salary or otherwise, be allowed by the county such sums for expenses, and be supplied by the county with such arms, accoutrements, clothing and other necessaries as may be prescribed by the regulations made under this Act. High constables.—remuneration of.

(3) In any county, in which there is no high constable in office at the date of the commencement of this Act, and in any county in which a vacancy occurs in that office after the said date, and in any other county when the office of high constable becomes vacant, the Lieutenant-Governor in Council may appoint an officer for such county or one or more counties, who shall be vested with all the powers and perform all the duties of a high constable under the provisions of this Act, and be subject to suspension as hereinafter provided by this Act. Appointment by Lieutenant-Governor in Council.

(4) Any officer appointed under subsection 3, shall be paid out of such sums as may from time to time be appropriated by the Legislature of the Province of Remuneration when appointed under subs. 3.

Ontario, such salary as may be determined by the Lieutenant-Governor in Council.

Rev. Stat.,  
c. 125, s. 9,  
repealed.

**3.** Section 9 of *The Constables Act* is repealed.

Rev. Stat.,  
c. 125, s. 10,  
subs. 2,  
repealed.

**4.** Subsection 2 of section 10 of *The Constables Act* is repealed and the following substituted therefor:

Oath to be  
deposited  
with clerk of  
the peace.

(2) The oath, together with a copy of the by-law under which a high constable has been appointed, shall be deposited in the office of the clerk of the peace of the county for which he has been appointed, and the oath of every officer appointed after the date of the commencement of this Act, to perform the duties of a high constable under the provisions of this Act, shall be deposited with the Commissioner of Police for Ontario.

Rev. Stat.,  
c. 125, s. 13,  
subs. 1,  
amended.

**5.** Subsection 1 of section 13 of *The Constables Act* is amended by striking out the words "Inspector of Legal Offices" in the fourth line, and inserting in lieu thereof the words "Commissioner of Police for Ontario."

Rev. Stat.,  
c. 125, s. 14,  
heading  
amended.

**6.—(1)** The heading of section 14 of *The Constables Act*, namely: "*Inquiries by Inspectors*" is repealed and the following heading substituted therefor: "*Inquiries by Commissioner.*"

Rev. Stat.,  
c. 125, s. 14,  
subs. 1,  
amended.

(2) Subsection 1 of the said section 14 is amended by striking out the words "Inspector of Legal Offices" in the first line and inserting in lieu thereof the words "Commissioner of Police for Ontario."

Rev. Stat.,  
c. 125, s. 14,  
subs. 2,  
amended.

(3) Subsection 2 of the said section 14 is amended by striking out the word "Inspector" in the first line and inserting in lieu thereof the words "Commissioner of Police for Ontario."

Rev. Stat.,  
c. 125, s. 15,  
repealed.

**7.** Section 15 of *The Constables Act* is repealed and the following substituted therefor:

Suspension  
of constable.

**15.—(1)** A judge of the county court, or the Commissioner of Police for Ontario, may suspend from office any high constable appointed by the municipal council of a county, or any county constable for any period not extending beyond one week after the time appointed for the next sittings of the Court of General Sessions of the Peace.

Suspension  
to be re-  
ported to  
clerk of the  
peace.

(2) The suspension shall be by notice in writing and, if the judge or the Commissioner of Police for Ontario considers the suspended officer deserving of dis-

missal, he shall, immediately after suspending him, report the case fully to the clerk of the peace for submission to the Court of General Sessions of the Peace at its next sittings.

- (3) The court may dismiss the officer or direct him to be restored to his office, after the period of his suspension has expired, or after such further period as may be deemed proper. Dismissal.  
Restoration to office.
- (4) Subsections 1 to 3 shall not apply to an officer appointed to perform the duties of a high constable under the provisions of this Act by the Lieutenant-Governor in Council, but in all such cases the Commissioner of Police for Ontario may suspend any such officer so appointed, and after investigation upon notice to the officer, and subject to the approval of the Lieutenant-Governor in Council, may dismiss or direct such officer to be restored to his office after the period of his suspension has expired, or after such further period as may be deemed proper. Suspension and dismissal of high constable.
- (5) This section shall not apply to any county for which there is a county board of commissioners of police, at the time of the passing of this Act. Extent of application of section.

**8.** Section 19 of *The Constables Act* is amended by striking out the words "Provincial Secretary" in the fourth line and inserting in lieu thereof the words "Commissioner of Police for Ontario." Rev. Stat., c. 125, s. 19, amended.

**9.** Subsection 2 of section 22 of *The Constables Act* is amended by striking out the words "Provincial Secretary" in the second line, and inserting in lieu thereof the words "Commissioner of Police for Ontario." Rev. Stat., c. 125, s. 22, subs. 2, amended.

**10.** Section 25 of *The Constables Act* is repealed and the following substituted therefor: Rev. Stat., c. 125, s. 25, repealed.

25. The justices who have appointed a special constable, or the Commissioner of Police for Ontario, may suspend or terminate the service of the special constable so appointed, and notice of such suspension or termination shall, when made by the justices, be forthwith transmitted to the Commissioner of Police for Ontario. Suspension, or termination of service of special constable.

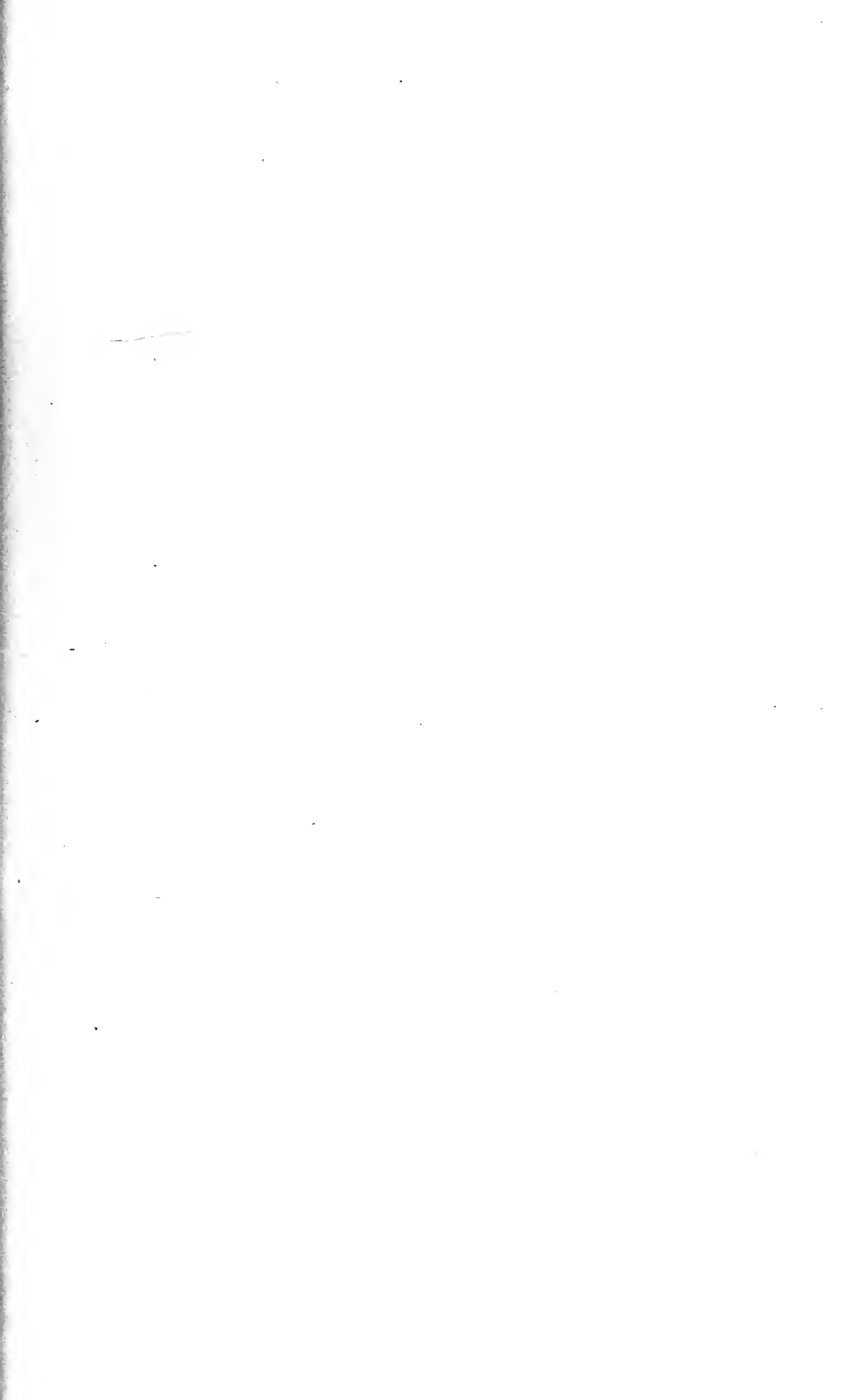
**11.** Section 26 of *The Constables Act* is repealed and the following substituted therefor: Rev. Stat., c. 125, s. 26, repealed.

Powers  
of county  
judge and  
Commis-  
sioner of  
Police.

26. The county judge, or the Commissioner of Police for Ontario, may exercise the powers herein conferred upon two justices of the peace as to special constables.

Commence-  
ment of  
Act.

**12.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.







Ontario,  
19 George V, 1929.

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BILL

An Act to amend The Constables Act.

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*1st Reading*

March 20th, 1929.

*2nd Reading*

March 25th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. PRICE.

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TORONTO :

Printed by

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# BILL

## An Act for raising Money on the Credit of the Consolidated Revenue Fund.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Loan Act, 1929.* Short title.

2. The Lieutenant-Governor in Council is hereby authorized Loan of \$40,000,000, authorized. to raise by way of loan a sum of money not exceeding forty million dollars (\$40,000,000) for all or any of the purposes following, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario, for the carrying on of the public works authorized by the Legislature and for redeeming in whole or in part the outstanding debentures of the Province of Ontario that have been issued free of succession duty.

3. The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon. Terms to be fixed by Lieutenant-Governor.

4. The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in subsection 2 of section 3 of *The Provincial Loans Act.* Sinking Fund. Rev. Stat., c. 23.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

19 George V, 1929.

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BILL.

An Act for raising Money on the Credit of  
the Consolidated Revenue Fund.

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*1st Reading*

March 21st, 1929.

*2nd Reading*

*3rd Reading*

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MR. MONTEITH.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act for raising Money on the Credit of the Consolidated Revenue Fund.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Loan Act, 1929.* Short title.
2. The Lieutenant-Governor in Council is hereby authorized Loan of \$40,000,000, authorized. to raise by way of loan a sum of money not exceeding forty million dollars (\$40,000,000) for all or any of the purposes following, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario, for the carrying on of the public works authorized by the Legislature and for redeeming in whole or in part the outstanding debentures of the Province of Ontario that have been issued free of succession duty.
3. The aforesaid sum of money may be borrowed for any Terms to be fixed by Lieutenant-Governor. term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.
4. The Lieutenant-Governor in Council may provide for a Sinking Fund. special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in subsection 2 of section 3 of *The Provincial Loans Act.* Rev. Stat., c. 23.
5. This Act shall come into force on the day upon which Commencement of Act. it receives the Royal Assent.

19 George V, 1929.

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BILL.

An Act for raising Money on the Credit of  
the Consolidated Revenue Fund.

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*1st Reading*

March 21st, 1929.

*2nd Reading*

March 22nd, 1929.

*3rd Reading*

March 28th, 1929.

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MR. MONTGOMERY.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## The Hydro-Electric Railway Act, 1929.

1. This Act may be cited as *The Hydro-Electric Railway Act, 1929.* Short title.

2. The Hydro-Electric Power Commission of Ontario may, Powers of Commission in operating Sandwich, Windsor and Amherstburg Railway. as part of the Sandwich, Windsor and Amherstburg Railway acquired and operated by the Hydro-Electric Power Commission of Ontario for certain municipal corporations under the agreement confirmed by section 8 of *The Hydro-Electric Railway Act, 1920*, and by way of extensions, improvements, additional works or equipment therefor, and either as principal trustee, agent or otherwise, lease, obtain running rights over, purchase or otherwise acquire, equip, maintain and operate motor busses, motor coaches and bus lines and any property, rights, franchises or privileges in connection therewith wherever it may appear to the Commission advantageous and profitable from time to time and whether or not within the districts in which said municipal corporations are situate, and may from time to time, lease, sell, mortgage, pledge or otherwise dispose of the same or any part thereof upon such terms as to it may appear desirable, and may enter into any joint ownership, joint operating or joint traffic arrangement with, or any arrangement for sharing of profits, co-operation, joint adventure, reciprocal concession or otherwise with, and take part in the management, supervision or control of the business or operations of any other person, firm, company, corporation, board, commission or undertaking in respect to the ownership, operation, equipment and maintenance of a motor coach transportation service upon such terms and conditions as to the Commission may seem desirable; and the Commission may procure itself to be licensed, registered and recognized in any foreign country or jurisdiction and may designate parties therein according to the laws thereof to represent the Commission and may apply for, promote and obtain from the Dominion of Canada or any other authority, whether dominion, provincial or foreign, and including subordinate and municipal authorities, any statute, ordinance, order, license, franchise, regulation or other authorization or enactment which may seem desirable to the Commission or calculated directly or

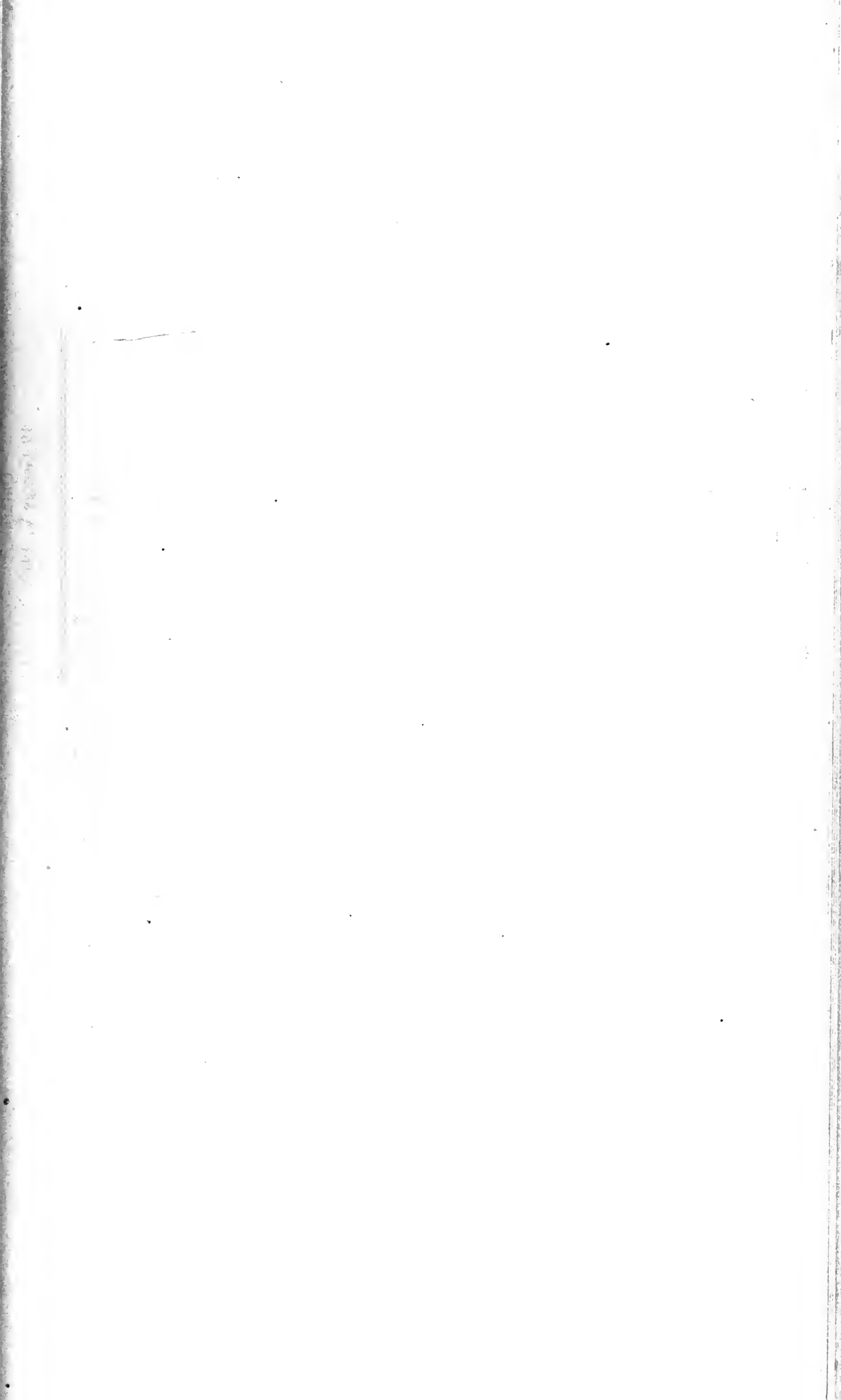
indirectly to benefit the Commission and may accept, acquire and exercise powers and rights conferred upon it by any such authority to do any of the things or carry on any of the operations herein mentioned outside of the Province of Ontario and may enter into any arrangement or agreement with any such authority; and the Commission may purchase or otherwise acquire on such terms as it may deem desirable shares in any company or corporation carrying on any business or operations similar to those hereinbefore in this section set forth, and hold, sell, mortgage, pledge or otherwise deal with the same.

Expenditures  
legalized.

**3.** Wherever in *The Hydro-Electric Railway Act, 1914* or, in the agreement confirmed by section 8 of *The Hydro-Electric Act, 1920*, referred to in section 2 hereof, or in *The Hydro-Electric Railway Act, 1925*, or in any amendment or amendments thereof reference is made to expenditure by the Commission to cover the capital cost of extensions or improvements or additional works or equipment of any kind required for said railway such reference shall be deemed to include and to have always included expenditure by the Commission for any of the purposes mentioned in said section 2.

Commence-  
ment of  
Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.



19 George V, 1929.

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BILL.

The Hydro-Electric Railway Act, 1929.

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*1st Reading*

March 21st, 1929.

*2nd Reading*

*3rd Reading*

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MR. COOKE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## The Hydro-Electric Railway Act, 1929.

1. This Act may be cited as *The Hydro-Electric Railway Act, 1929.* Short title.

2. The Hydro-Electric Power Commission of Ontario may, Powers of Commission in operating Sandwich, Windsor and Amherstburg Railway. as part of the Sandwich, Windsor and Amherstburg Railway acquired and operated by the Hydro-Electric Power Commission of Ontario for certain municipal corporations under the agreement confirmed by section 8 of *The Hydro-Electric Railway Act, 1920*, and by way of extensions, improvements, additional works or equipment therefor, and either as principal trustee, agent or otherwise, lease, obtain running rights over, purchase or otherwise acquire, equip, maintain and operate motor busses, motor coaches and bus lines and any property, rights, franchises or privileges in connection therewith wherever it may appear to the Commission advantageous and profitable from time to time and whether or not within the districts in which said municipal corporations are situate, and may from time to time, lease, sell, mortgage, pledge or otherwise dispose of the same or any part thereof upon such terms as to it may appear desirable, and may enter into any joint ownership, joint operating or joint traffic arrangement with, or any arrangement for sharing of profits, co-operation, joint adventure, reciprocal concession or otherwise with, and take part in the management, supervision or control of the business or operations of any other person, firm, company, corporation, board, commission or undertaking in respect to the ownership, operation, equipment and maintenance of a motor coach transportation service upon such terms and conditions as to the Commission may seem desirable; and the Commission may procure itself to be licensed, registered and recognized in any foreign country or jurisdiction and may designate parties therein according to the laws thereof to represent the Commission and may apply for, promote and obtain from the Dominion of Canada or any other authority, whether dominion, provincial or foreign, and including subordinate and municipal authorities, any statute, ordinance, order, license, franchise, regulation or other authorization or enactment which may seem desirable to the Commission or calculated directly or

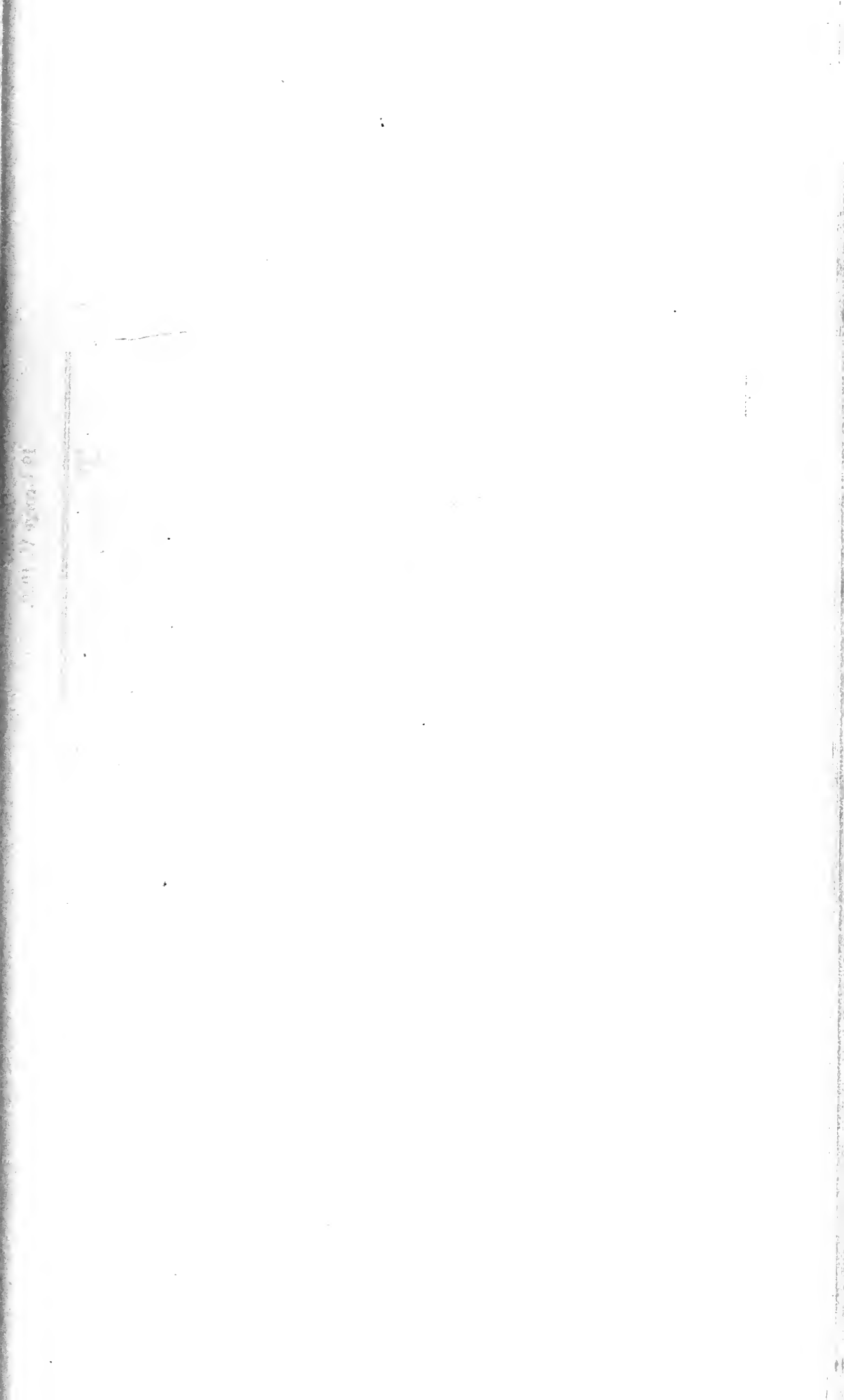
indirectly to benefit the Commission and may accept, acquire and exercise powers and rights conferred upon it by any such authority to do any of the things or carry on any of the operations herein mentioned outside of the Province of Ontario and may enter into any arrangement or agreement with any such authority; and the Commission may purchase or otherwise acquire on such terms as it may deem desirable shares in any company or corporation carrying on any business or operations similar to those hereinbefore in this section set forth, and hold, sell, mortgage, pledge or otherwise deal with the same.

Expendi-  
tures  
legalized.

**3.** Wherever in *The Hydro-Electric Railway Act, 1914* or, in the agreement confirmed by section 8 of *The Hydro-Electric Act, 1920*, referred to in section 2 hereof, or in *The Hydro-Electric Railway Act, 1925*, or in any amendment or amendments thereof reference is made to expenditure by the Commission to cover the capital cost of extensions or improvements or additional works or equipment of any kind required for said railway such reference shall be deemed to include and to have always included expenditure by the Commission for any of the purposes mentioned in said section 2.

Commence-  
ment of  
Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.



19 George V, 1929.

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BILL.

The Hydro-Electric Railway Act, 1929.

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*1st Reading*

March 21st, 1929.

*2nd Reading*

March 22nd, 1929.

*3rd Reading*

March 28th, 1929.

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MR. COOKE.

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TORONTO :

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Liquor Control Act (Ontario).

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Liquor Control Act, 1929*. Short title.

2. *The Liquor Control Act (Ontario)* is amended by adding Rev. Stat. c. 257, amended. thereto the following section:

45a.—(1) Nothing in this Act contained shall be deemed Prohibition as to manufacture and sale of certain beverages not the product of Ontario. to authorize,

(a) any brewer to keep for sale and sell to the Board, or to sell or deliver under any circumstances whatever in Ontario; or

(b) the Board to keep for sale or sell; or

(c) any brewer's agent, brewer's warehouseman, retail dealer or other person whomsoever to keep for sale, sell or deliver in Ontario,

any ale, beer, porter, stout, lager, light beer, malt extract or any other liquid product manufactured from grain except such products as are manufactured from pure barley malt produced from barley grown and malted in Ontario.

(2) Every brewer, brewer's agent, brewer's warehouseman, retail dealer or other person who sells or offers for sale any product produced, malted or manufactured otherwise than as specified in subsection 1 shall incur a penalty of not less than \$100 nor more than \$2,000. Penalty.

3. This Act shall come into force on the day upon which Commencement of Act. it receives the Royal Assent.

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Liquor Control Act  
(Ontario).

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*1st Reading*

March 22nd, 1929.

*2nd Reading*

*3rd Reading*

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MR. CURRIE

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to amend The Liquor Control Act (Ontario).

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Liquor Control Act, 1929*.

2. *The Liquor Control Act (Ontario)* is amended by adding Short title. thereto the following section:

45a.—(1) Nothing in this Act contained shall be deemed Rev. Stat. c. 257, amended. to authorize,

(a) any brewer to keep for sale and sell to the Board, or to sell or deliver under any circumstances whatever in Ontario; or Prohibition as to manufacture and sale of certain beverages not the product of Ontario.

(b) the Board to keep for sale or sell; or

(c) any brewer's agent, brewer's warehouseman, retail dealer or other person whomsoever to keep for sale, sell or deliver in Ontario,

any ale, beer, porter, stout, lager, light beer, malt extract or any other liquid product manufactured from grain except such products as are manufactured from pure barley malt produced from barley grown and malted in Ontario.

(2) Every brewer, brewer's agent, brewer's warehouseman, retail dealer or other person who sells or offers for sale any product produced, malted or manufactured otherwise than as specified in subsection 1 shall incur a penalty of not less than \$100 nor more than \$2,000. Penalty.

3. This Act shall not apply to imports from the Provinces of Canada nor to imports from Great Britain and Ireland. Application of Act.

4. This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation. Commencement of Act.

BILL.

An Act to amend The Liquor Control Act  
(Ontario).

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*1st Reading*

March 22nd, 1929.

*2nd Reading*

March 27th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. CURRIE

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act for the Prevention of Fraud in connection with Real Estate Transactions.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Real Estate Agents Act, 1929*. Short title.

2. In this Act,—

Interpretation.

(a) "Company" shall include any association, corporation, company or other incorporated organization. "Company."

(b) "Fraud," "fraudulent" and "fraudulent act" shall, "Fraud." in addition to their ordinary meaning, include:

- (i) any intentional misrepresentation by word, conduct or in any manner of any material fact either present or past, and any intentional omission to disclose any such fact;
- (ii) any promise or representation as to the future which is beyond reasonable expectation and not made in good faith;
- (iii) the gaining or attempt to gain, directly or indirectly, through a trade in real estate, a commission, fee or profit so large and exorbitant as to be unconscionable and unreasonable;
- (iv) generally any course of conduct or business which is calculated or put forward with intent to deceive the purchaser of any real estate as to the nature of any transaction or as to the value of such real estate;
- (v) the making of any material false statement in any application, information, material or

evidence submitted or given to the Registrar or any deputy registrar, under the provisions of this Act or the regulations;

(vi) the violation of any provision of this Act or of the regulations relating to the manner in which agents or salesmen shall trade in real estate and anything specifically designated in the regulations as coming within the meaning of this definition;

(vii) any artifice, agreement, device or scheme to obtain money, profit, or property by any of the means hereinbefore set forth or otherwise contrary to law;

- “Minister.” (c) “Minister” shall mean the member of the Executive Council to whom the Registrar shall, by order of the Lieutenant-Governor in Council, be responsible;
- “Person.” (d) “Person” shall mean an individual, partnership, association, syndicate and any unincorporated organization;
- “Real estate.” (e) “Real estate” shall include leasehold;
- “Real estate agent.” (f) “Real estate agent” shall mean every person or company trading in real estate for whole or part time, for another or others, and for compensation, gain or profit or hope or promise thereof, alone or through one or more officials or salesmen, and every person or company in any way holding himself or itself out as such, and shall include such officials of a company as may be designated by the regulations;
- “Real estate salesman.” (g) “Real estate salesman” shall mean every person employed, appointed or authorized by any real estate agent to trade in real estate whether directly or through sub-agents;
- “Registrar.” (h) “Registrar” shall mean the person appointed by the Lieutenant-Governor in Council to act as Registrar under the provisions of this Act and the regulations;
- “Regulations.” (i) “Regulations” shall mean the regulations made from time to time by the Lieutenant-Governor in Council under the provisions of this Act;
- “Trade.” (j) “Trade” or “trading” shall, subject to the provisions of subsection 3 of section 3 include any;

- (i) disposition of, transaction in, offer or attempt to dispose of real estate by sale, agreement of sale, exchange, purchase, option, lease, rental or otherwise; or
- (ii) negotiation of, offer or attempt to negotiate a loan secured or to be secured by mortgage or any transfer of or encumbrance upon real estate; or
- (iii) act, advertisement, conduct or negotiation directly or indirectly in furtherance of any of the foregoing, or specifically designated as "trade" or "trading" in the regulations.

### PART I.

#### REGISTRATION.

**3.—(1)** No person shall,—

- (a) trade in real estate as a real estate agent or salesman unless he is registered as such; or Agents, officials and salesmen to register.
- (b) act as an official of or on behalf of any partnership or company in connection with any trade in real estate by the partnership or company as a real estate agent, unless he or the partnership or company is registered as a real estate agent;
- (c) act as a salesman of or on behalf of any partnership or company in connection with any trade in real estate by the partnership or company as a real estate agent unless he is registered as a salesman,

and such registrations have been made in accordance with the provisions of this Act and the regulations, and any violation of this section shall constitute an offence.

(2) With the approval of the Minister any partnership or company may be registered as a real estate agent whereupon the partnership or company may trade in real estate, and the members and officials of the partnership, and the officials of the company or salesmen of the partnership or company, may act as such without separate registration, and the provisions of this Act and of the regulations relating to registered persons or companies, shall be deemed to apply to such partnership or company. Partnership or company may be registered.

(3) Subsections 1 and 2 shall not apply in respect of any trades in real estate by,— Exemptions.

R.S.C., c. 11;  
Rev. Stat.,  
cc. 218, 88;  
R.S.C.,  
c. 213.

- (a) any assignee, custodian, liquidator, receiver, trustee or other person acting under the provisions of the *Bankruptcy Act*, *The Companies Act*, *The Judicature Act*, the *Winding-Up Act*, or to any person acting under the order of any court, or any executor or trustee selling under the terms of any will, marriage settlement or deed of trust;
- (b) any person or company in respect of specific real estate owned by such person or company where such trade is not made in the course of continued and successive transactions of a like character;
- (c) any member in good standing of the Law Society of Upper Canada;
- (d) any assignee, liquidator, receiver, trustee in bankruptcy or person acting under the order of any court or any trustee selling under the terms of any will, marriage settlement or deed of trust;
- (e) any person in respect of any mine or mining property within the meaning of *The Mining Act* and in respect of the real estate comprised in any Crown grant or lease of a mining claim or mineral lands under *The Mining Act* or any Act for which the same is substituted;
- (f) any persons in any rural portion of Ontario specified in the regulations, who are carrying on any other business under license or authority from the Government of Ontario;
- (g) any class of trades in real estate, or of real estate agents or salesmen specifically exempted from the application of subsections 1 and 2 of this section by the regulations.

Rev. Stat.,  
c. 45.

Registration  
within ten  
days unless  
Minister  
objects.

4.—(1) Unless the Minister otherwise directs the Registrar may within ten days after the receipt by him of any application for registration cause to be entered in a book kept for such purpose and open to public inspection, hereinafter called the "register," the name and address for service of such applicant, whereupon such applicant shall be deemed to be registered as a real estate agent or salesman as the case may be.

Temporary  
registration.

(2) The Registrar may, pending further investigation, cause a temporary entry to be made, designated as such, in the register, subject to cancellation at any time upon the order of the Minister.

(3) Registrations shall expire, and may be changed or renewed as the regulations shall provide. Expiration, change and renewal of registration.

**5.**—(1) Every application under this Act or the regulations shall be made in writing upon the forms provided by the Registrar, and shall be accompanied by the fee prescribed by the regulations and such bond as may be required. Application to be upon forms with proper fees and bonds.

(2) Every applicant, whether domiciled in Ontario or not, shall state in every application an address for service in Ontario, and all notices under this Act or the regulations and all legal process issued by or on behalf of any person or company shall be sufficiently served for all purposes if posted by registered mail to the applicant at the latest address for service so stated, and in the case of a non-registered company where the officials are registered, to the latest address of the person registered as the senior official of such company in Ontario. Address for service.

(3) The Registrar may from time to time and shall when so directed by the Minister, require any further information or material to be submitted by any applicant or any registered person or company within a specified time limit and may require verification by affidavit or otherwise of any matter then or previously submitted. Further information.

**6.**—(1) Every applicant for registration as a real estate agent shall before registration submit a bond by the applicant or the person or company he represents, as the Registrar may require, such bond to be in the sum of \$500 and in such form and upon such condition as the regulations shall prescribe. \$500 bond by every agent and applicant.

(2) The Registrar may and when so directed by the Minister shall require any applicant or any registered person or company within a specified time limit to deliver a bond by a surety company approved by the Minister in such form and upon such condition as the regulations shall prescribe, and in such amount as the regulations or the Minister shall require. Bond by a surety company if required.

(3) The Registrar may and when so directed by the Minister shall require a new bond of the kind mentioned in subsection 1 or 2 to be filed within a specified time limit. New bond.

**7.**—(1) Any bond mentioned in section 6 shall be forfeited and the sum named therein shall become due and owing by the person or company bound thereby as a debt to His Majesty in the right of the Province of Ontario when there has been filed with the Registrar the Minister's certificate that the person or company in respect of whose conduct the bond is conditioned, or any official, employee or salesman of such company, in connection with a trade in real estate,— Forfeiture of bonds.

- \$500 bond. (a) in the case of the bond mentioned in subsection 1 of section 6,
- (i) has been charged with any criminal offence, or
  - (ii) has been found upon investigation by the Registrar or a deputy registrar to have committed a fraudulent act, or
  - (iii) has become or is about to be the subject of bankruptcy or winding-up proceedings; or

- Bond by surety company. (b) in the case of the bond mentioned in subsection 2 of section 6,
- (i) has been convicted of a criminal offence, or
  - (ii) has been convicted of an offence against any provision of this Act or the regulations, or
  - (iii) has been enjoined by the Supreme Court or a judge thereof otherwise than by an interim injunction, or
  - (iv) has made a voluntary assignment or has been the subject of a final order under the *Bankruptcy Act*, or has been ordered by the court to be wound up.

Assignment of bond or payment of moneys to creditors. (2) The Minister may assign any bond forfeited under the provisions of subsection 1, or may pay over any moneys required thereunder to any person, or to the accountant of the Supreme Court in trust for such persons and companies as may become judgment creditors of the person or company bonded, or to any trustee, custodian, interim receiver, receiver or liquidator of such person or company as the case may be, such assignment or payment over to be in accordance with and upon conditions set forth in the regulations or in any special order of the Lieutenant-Governor in Council.

Minister's orders concerning applications. 8.—(1) The Minister may order that,—

- (a) any application for registration, renewal or change of registration shall or shall not be granted for any reason which he may deem sufficient, or that

Deceptive names. (b) the application of any person for registration shall not be granted where it appears that such person proposes to use or is using a trading name other than his own, or that of his partner, where such trading

name is apt to lead the public to believe it is that of a business firm of longer established standing in Ontario, or is calculated to conceal from the public the identity of the applicant, or is for any reason objectionable, or that

- (c) any temporary entry in the register shall be made, <sup>Temporary entries.</sup> suspended or cancelled for any reason, which he may deem sufficient, or that
- (d) any full registration of any person or company be <sup>Cancellation of registration upon conviction of criminal offence.</sup> cancelled upon conviction of the person or company of any criminal offence, or upon the institution of bankruptcy or winding-up proceedings in respect of such person or company, or that
- (e) the registration of any person or company shall be <sup>Suspension of cancellation for default.</sup> suspended for any period or cancelled by reason of default in filing a bond when required under the provisions of subsections 2 and 3 of section 6, or that
- (f) the registration of any person or company shall be <sup>Suspension under Part II.</sup> suspended as provided in section 10,

and no order of the Minister shall be subject to review in any way in any court.

(2) The Registrar upon receiving any order of the Minister <sup>Entry or suspension or cancellation.</sup> suspending or cancelling any registration shall cause immediate entry thereof to be made in the register whereupon the suspension or cancellation shall become effective forthwith, but notice thereof and of the refusal of any application shall be sent to the person or company concerned.

(3) Notwithstanding any order of the Minister a further <sup>Further applications.</sup> application may be made upon new or other material, or where it is clear that material circumstances have changed.

## PART II.

### INVESTIGATION AND ACTION BY THE ATTORNEY-GENERAL.

9.—(1) The Attorney-General by the Registrar or any <sup>Investigation by Attorney-General.</sup> other person to whom as deputy registrar he may in writing delegate such authority, may examine any person or thing whatsoever at any time in order to ascertain whether any fraudulent act, or any offence against this Act or of the regulations has been, is being, or is about to be committed, and for such purpose shall have the same power to summon and enforce the attendance of witnesses and compel them

to give evidence on oath and to produce documents, records and things as is vested in the Supreme Court or a judge thereof for the trial of civil cases, save that no person shall be entitled to claim any privilege in respect of any evidence or document, record or thing, sought to be given or produced, on the ground that he might be incriminated or exposed to a penalty thereby.

Failure to give information, etc., an offence and also *prima facie* evidence.

(2) The failure without reasonable excuse of any person or company to furnish information required by the Registrar under Part I within the time limited, or the failure without reasonable excuse of any person summoned for examination under subsection 1 to appear, or his refusal to give evidence, or to answer any question, or the failure without reasonable excuse or refusal of any person or company to produce anything where the evidence, answer or production would be required in an action shall constitute an offence and shall also be *prima facie* evidence upon which,

- (a) the Attorney-General, Registrar or deputy registrar may base an affirmative finding concerning any fraudulent act to which he may deem it relevant, or
- (b) the Supreme Court, or a judge thereof, may grant an interim or permanent injunction, or
- (c) a police magistrate may base a conviction for an offence against this Act or the regulations.

Evidence not to be disclosed.

(3) Disclosure by any person other than the Attorney-General, the Registrar or deputy registrar, without the consent of any one of them, of any information or evidence obtained or the name of any witness examined or sought to be examined under subsection 1 shall constitute an offence.

Minister may

**10.** If the Attorney-General, the Registrar or deputy registrar upon investigation finds that any fraudulent act, or that any offence against this Act or the regulations, has been, is being, or is about to be committed, the Minister,

suspend for over ten days,

- (a) may where a registered real estate agent or salesman is in his opinion concerned therein, order that such agent or salesman and any other registered agent or salesman connected with the same organization be suspended from registration for any period not exceeding ten days, or

give notice of fraud,

- (b) may give notice of the fraudulent act to the public by advertisement or otherwise or to any individual by letter or otherwise, whenever he deems it advisable, or



- (c) where he considers a suspension for ten days inadequate, or where any unregistered person or company is concerned in such fraudulent act or in such offence request the Attorney-General to proceed under the provisions of section 11, or otherwise under this Act or the regulations. <sup>and proceed by injunction.</sup>

**11.**—(1) The Supreme Court or any judge thereof is hereby empowered upon the application of the Attorney-General, where it is made to appear upon the material filed or evidence adduced that any fraudulent act, or any offence against this Act or the regulations has been, is being, or is about to be committed may by order enjoin,— <sup>Supreme Court or judge may enjoin from trading in securities.</sup>

- (a) any registered real estate agent or salesman or any person or company implicated with any of them in the same matter from trading as such in real estate absolutely or for such period of time as shall seem just, and any such injunction shall *ipso facto* suspend the registration of any registered person or company named in the order during the same period, or
- (b) any person or company from trading in any real estate whatever, or in any specific real estate or from committing any specific fraudulent act or series of fraudulent acts absolutely or for such period of time as shall seem just.

(2) The application of the Attorney-General under sub-section 1 may be made without any action being instituted, either,— <sup>Application may be *ex parte*.</sup>

- (a) by an *ex-parte* motion for an interim injunction which shall, if granted, remain in full force for ten days from the date thereof unless the time is extended or the originating motion mentioned in clause *b* hereof is sooner heard and determined, or
- (b) by an originating notice of motion, which, if an interim injunction has been granted, shall be served within five and returnable within ten days from the date of such interim injunction. <sup>or by originating notice.</sup>

(3) Any information, evidence, exhibit or thing obtained by the Attorney-General or the Registrar, or deputy registrar, under the provisions of this Act or the regulations, or copies thereof, certified by the Attorney-General or the Registrar shall, so far as relevant, be receivable in evidence for all purposes in any action, proceeding or prosecution and, in proceedings under this section only, the evidence of a witness <sup>Evidence.</sup>

Rev. Stat., c. 107. may be used against him notwithstanding anything in *The Evidence Act* contained.

Attorney-General may order funds, etc., to be held.

**12.**—(1) The Attorney-General may,—

- (a) when he is about to examine or during or after the examination of any person or company under the provisions of section 9, or
- (b) when he is about to apply for or has applied for or has obtained an injunction interim or otherwise against any person or company under the provisions of section 11, or
- (c) where criminal proceedings which in his opinion are connected with or arise out of any trade in real estate, or out of any business conducted by the accused are about to be or have been instituted against any person,

in writing or by telegram direct any person or company having in Ontario on deposit or under control or for safe keeping, any funds or securities of the person or company so to be or actually examined, enjoined or charged, to hold such funds or securities in trust for any interim receiver, custodian, trustee, receiver or liquidator appointed under the provisions of the *Bankruptcy Act*, *The Judicature Act*, *The Companies Act* or the *Winding Up Act*, or until the Attorney-General in writing revokes such direction or consents to release any particular fund or security from such direction, and failure without reasonable excuse by any person or company to comply with any such direction shall constitute an offence, provided that no such direction shall apply to funds or securities in a stock exchange clearing house nor to securities in process of transfer by a transfer agent unless such direction expressly so states, and in the case of a bank, loan or trust company the direction shall only apply to the offices, branches or agencies thereof named in the direction.

R.S.C., c. 11;  
Rev. Stat.,  
cc. 88, 213;  
R.S.C.,  
c. 213.

(2) The Attorney-General may also under the circumstances set forth in clauses *a*, *b* and *c* of subsection 1, in writing or by telegram direct that any real estate referred to therein be treated by the master of titles, local master of titles or registrar of deeds to whom the order is addressed, as if a caution or *lis pendens* had been filed in respect of such real estate, and the Attorney-General may, in writing, revoke such direction or consent or release any portion of such real estate, and failure without reasonable excuse to comply with such direction shall constitute an offence.

(3) Any person or company in receipt of a direction given under subsection 1 and any officer mentioned in subsection 2, who has received a direction thereunder if in doubt as to the application of such direction to any funds, security or real estate, or in case of a claim being made thereto by any person or company not named in such direction, may apply to the Supreme Court or a judge thereof who may direct the disposition of such fund, security, or real estate and may make such order as to costs as may seem just.

Application  
for direc-  
tion,

(4) The Attorney-General, whenever His Majesty becomes a creditor of any person or company in respect of a debt to the Crown arising from the provisions of sections 6 and 7, may take such proceedings as he shall see fit under the *Bankruptcy Act*, *The Judicature Act*, *The Companies Act* or the *Winding Up Act* for the appointment of an interim receiver, custodian, trustee, receiver or liquidator as the case may be.

and may  
take bank-  
ruptcy  
proceedings,  
etc.

### PART III.

#### GENERAL PROVISIONS.

**13.**—(1) A judge of the Supreme Court in exercising any of the powers conferred upon such judge by this Act shall be deemed so to act as a judge of such court and not as *persona designata*.

Judge not  
*persona*  
*designata*.

(2) The Attorney-General and the Minister shall in all proceedings under this Act or the regulations be deemed to be acting as the representatives of His Majesty in the right of the province of Ontario, and not as *personae designatae*.

Attorney-  
General and  
Minister not  
*personae*  
*designatae*.

(3) The provisions of *The Judicature Act* and the Consolidated Rules of Practice and Procedure made thereunder, so far as they are applicable to proceedings of a like nature, including those relating to appeals and to the enforcement of judgments and orders, shall apply to every proceeding before the Supreme Court or a judge thereof under the provisions of this Act, save that service of notices and other legal process shall be in accordance with subsection 2 of section 5 and save that costs may be awarded to but not against the Attorney-General.

Judicature  
Act and  
Rules  
apply.

Rev. Stat.,  
c. 88.

**14.** No action whatever, and no proceedings by way of injunction, mandamus, prohibition or other extraordinary remedy shall lie or be instituted against any person whether in his public or private capacity or against any company in respect of any act or omission in connection with the administration or carrying out of the provisions of this Act or

No action,  
etc., against  
persons  
administer-  
ing Act.

the regulations where such person is the Attorney-General, the Minister, the Registrar or the deputy registrar, or where such person or company was proceeding under the written or verbal direction or consent of any one of them, or under an order of the Supreme Court or a judge thereof made under the provisions of this Act.

Regulations,  
general  
powers.

**15.** The Lieutenant-Governor in Council may make and from time to time amend, alter or repeal regulations not inconsistent with this Act for the better carrying out of the provisions of this Act, for the more efficient administration thereof and for the prevention of fraud in trading in real estate, for the creation of offences, and for any other purpose elsewhere indicated in this Act, and all such regulations and any amendment, alteration or repeal thereof shall become effective in all respects as if enacted in this Act upon the publication thereof in the *Ontario Gazette*.

Penalties.

R.S.C., c. 56.

Rev. Stat.,  
c. 121.

**16.**—(1) Every person who violates any provision of this Act or the regulations designated as an offence, or who does any fraudulent act not punishable under the provisions of the *Criminal Code* of Canada, shall be liable upon conviction thereof under *The Summary Convictions Act* to a penalty of not more than \$1,000 for a first offence, nor \$2,000 for a second or subsequent offence, and in case of either a first or a subsequent offence either in default of payment of any penalty imposed, or in addition to such penalty, to imprisonment for a term not exceeding six months.

Companies.

(2) The provisions of subsection 1 shall be deemed to apply *mutatis mutandis*, to any company save that the money penalties may be increased in the discretion of the magistrate to a sum not exceeding \$25,000, and in his order the magistrate shall state which of the directors, officers or employees of the company are culpable in respect of such offence, and shall direct that in default of payment of such penalty within such time as the magistrate shall designate, the penalty shall be apportioned among and payable by the persons so found to be culpable in such manner as the magistrate shall direct.

Consent of  
Attorney-  
General  
required.

(3) No proceedings under this section shall be instituted except with the consent or under the direction of the Attorney-General.

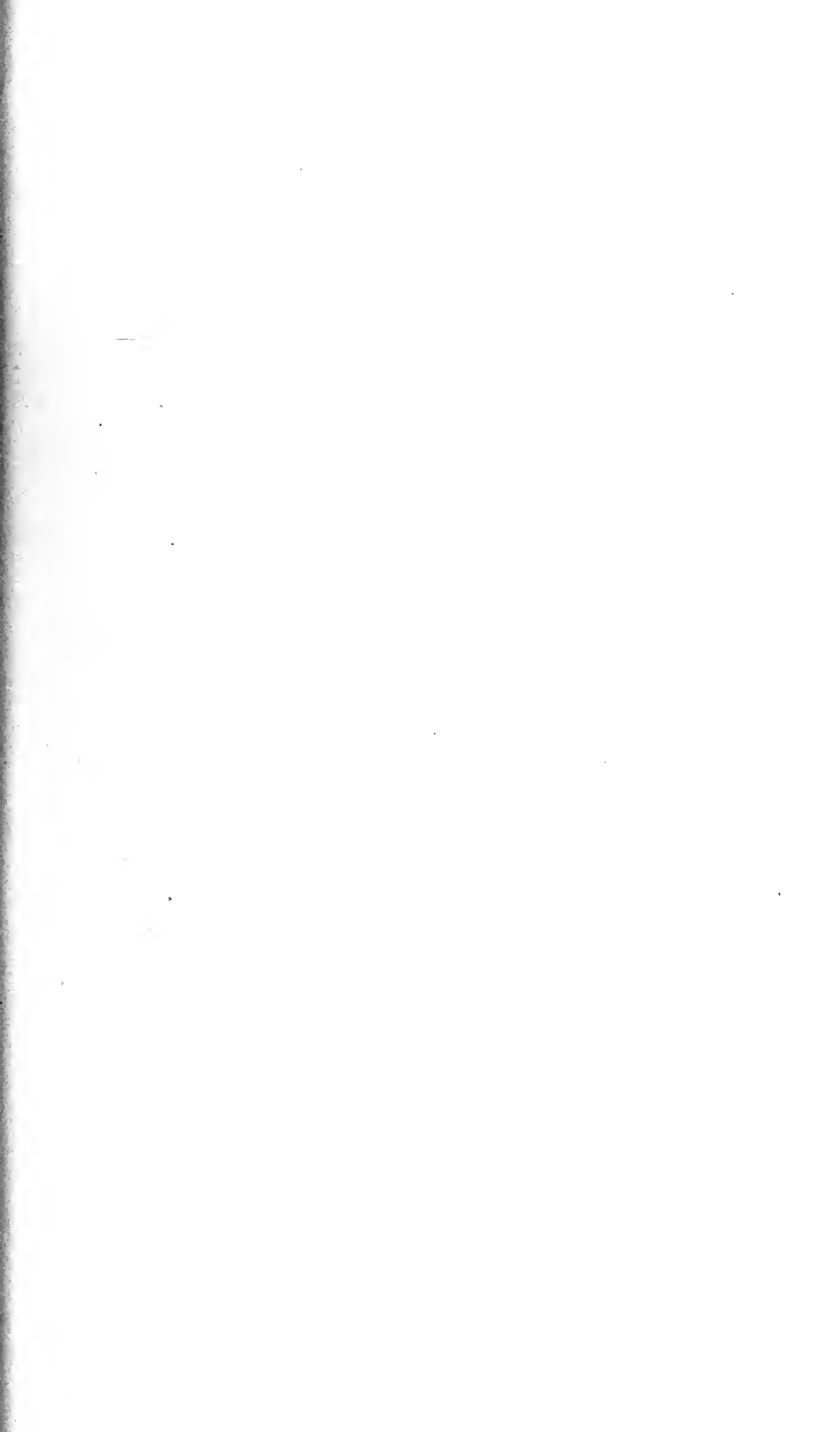
Expenses.

Rev. Stat.,  
c. 25.

**17.** Section 17 of *The Audit Act* shall apply in respect of any legislative appropriation for the administration of this Act.

Commence-  
ment of Act.

**18.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.







Ontario.  
19 George V, 1929.

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BILL.

An Act for the Prevention of Fraud in  
connection with Real Estate  
Transactions.

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*1st Reading*

March 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. FERGUSON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Game and Fisheries Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Game and Fisheries Act*, Short title.  
1929.

2.—(1) The clauses lettered *a*, *b* and *c* in section 7 of *The Game and Fisheries Act* as re-enacted by subsection 1 of section 2 of *The Game and Fisheries Act, 1928*, are amended by striking out the word “caribou” where it appears in the first line in each of the said clauses. Rev. Stat., c. 318, s. 7, cls. a, b and c (1928, c. 52, s. 2, subs. 1), amended.

(2) The clause lettered *cc* in the said section 7 as enacted by subsection 1 of section 2 of *The Game and Fisheries Act, 1928*, is repealed and the following substituted therefor: Rev. Stat., c. 318, s. 7, cl. cc (1928, c. 52, s. 2, subs. 1), repealed.

(*cc*) Any deer or moose in that part of Ontario lying south of the French and Mattawa Rivers (but excluding therefrom the Counties of Bruce, Grey, Simcoe and York, and that part of Ontario lying south and west thereof, together with the counties of Leeds, Grenville, Dundas, Stormont, Glengarry and Carleton), except from the 5th day of November to the 20th day of November, both days inclusive. Close season—deer and moose.

(3) The said section 7 is further amended by adding thereto the following clause: Rev. Stat., c. 318, s. 7, amended.

(*h*) Any caribou, or have in possession the carcass of any caribou or any part thereof. Caribou.

3. Subsection 2 of section 9 of *The Game and Fisheries Act* is amended by striking out the words “the 1st day of March” in the fourth line and inserting in lieu thereof the words “the 15th day of March.” Rev. Stat., c. 318, s. 9, subs. 2, amended.

4.—(1) Subsection 3 of section 10 of *The Game and Fisheries Act* as amended by section 4 of *The Game and Fisheries Act*, Rev. Stat., c. 318, s. 10, subs. 3, amended.

Where permits required.

1928, is further amended by striking out the words "West Kent and West Elgin" and inserting in lieu thereof the words "Kent, Elgin, Middlesex, Perth, Oxford, Norfolk, Brant, Haldimand, South Huron and South Wellington."

Rev. Stat., c. 318, s. 10, amended.

(2) The said section 10 is amended by adding thereto the following subsection:

Rabbit hunts.

- (4) The Department may, upon application by residents of the Province, authorize the conducting of organized rabbit hunts by the applicants under the supervision of officers of the Department, and where such rabbit hunts are organized within the areas specified in subsection 3, the provisions of the aforementioned subsection as to the use of any fire-arm or air-gun except under the authority of a license, shall not apply to persons comprising such rabbit hunts.

Rev. Stat., c. 318, s. 19, amended.

5. Section 19 of *The Game and Fisheries Act* is amended by adding thereto the following subsection:

License to be carried on person.

- (6) No person to whom a license has been issued shall be entitled to hunt, pursue, kill or take any game animal or bird unless at the time of such hunting, pursuing, killing or taking he shall have such license on his person, and such licensee shall also wear in a conspicuous place the badge furnished by the Department and a license shall not be valid without the badge bearing the corresponding number.

Rev. Stat., c. 318, s. 20, cl. d, amended.

6. The clause lettered *d* in section 20 of *The Game and Fisheries Act* is amended by striking out the word "caribou" where it appears in the first line of the said clause.

Rev. Stat., c. 318, s. 35, amended.

7. Section 35 of *The Game and Fisheries Act* is amended by adding thereto the following subsection:

Poisoning wolves.

- (2) Notwithstanding the provisions of the foregoing section, the Department may issue to a limited number of expert trappers, permits authorizing the use of poison for the taking of wolves.

Rev. Stat., c. 318, s. 36, amended.

8. Section 36 of *The Game and Fisheries Act* is amended by adding thereto the following subsection:

Where snares prohibited.

- (2) It shall be unlawful for any person to use snares for any purpose in the counties of Lennox, Addington, Frontenac, Leeds and Grenville.

**9.** Section 48 of *The Game and Fisheries Act* is amended by inserting after the word "vehicle" where it appears in the seventh and ninth lines respectively the words "aeroplane or any other flying machine." Rev. Stat., c. 318, s. 48, amended.  
Use of airplanes.

**10.** Subsection 2 of section 59 of *The Game and Fisheries Act* as amended by subsection 1 of section 9 of *The Game and Fisheries Act, 1928*, is further amended by inserting after the word "vehicle" where it appears in the fourth and fifth lines respectively the words "aeroplane or any other flying machine." Rev. Stat., c. 318, s. 59, subs. 2, amended.  
Use of airplanes.

**11.** This Act shall come into force on the 1st day of June, 1929. Commence-  
ment of Act.

19 George V, 1929.

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BILL.

An Act to amend The Game and Fisheries  
Act.

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*1st Reading*

March 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. MCCREA.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

## An Act to amend The Game and Fisheries Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Game and Fisheries Act*, Short title.  
1929.

**2.**—(1) The clauses lettered *a*, *b* and *c* in section 7 of *The Game and Fisheries Act* as re-enacted by subsection 1 of section 2 of *The Game and Fisheries Act, 1928*, are amended by striking out the word “caribou” where it appears in the first line in each of the said clauses. Rev. Stat., c. 318, s. 7, cls. a, b and c (1928, c. 52, s. 2, subs. 1), amended.

(2) The clause lettered *cc* in the said section 7 as enacted by subsection 1 of section 2 of *The Game and Fisheries Act, 1928*, is repealed and the following substituted therefor: Rev. Stat., c. 318, s. 7, cl. cc (1928, c. 52, s. 2, subs. 1), repealed.

(*cc*) Any deer or moose in that part of Ontario lying south of the French and Mattawa Rivers (but excluding therefrom the Counties of Bruce, Grey, Simcoe and York, and that part of Ontario lying south and west thereof, together with the counties of Leeds, Grenville, Dundas, Stormont, Glengarry and Carleton), except from the 5th day of November to the 20th day of November, both days inclusive. Close season —deer and moose.

(3) The said section 7 is further amended by adding thereto the following clause: Rev. Stat., c. 318, s. 7, amended.

(*h*) Any caribou, or have in possession the carcass of any caribou or any part thereof. Caribou.

**3.** Subsection 2 of section 9 of *The Game and Fisheries Act* is amended by striking out the words “the 1st day of March” in the fourth line and inserting in lieu thereof the words “the 15th day of March.” Rev. Stat., c. 318, s. 9, subs. 2, amended.

**4.**—(1) Subsection 3 of section 10 of *The Game and Fisheries Act* as amended by section 4 of *The Game and Fisheries Act*, Rev. Stat., c. 318, s. 10, subs. 3, amended.

Where permits required. 1928, is further amended by striking out the words "West Kent and West Elgin" and inserting in lieu thereof the words "Kent, Elgin, Middlesex, Perth, Oxford, Norfolk, Brant, Haldimand, South Huron and South Wellington."

Rev. Stat., c. 318, s. 10, amended. (2) The said section 10 is amended by adding thereto the following subsection:

Rabbit hunts. (4) The Department may, upon application by residents of the Province, authorize the conducting of organized rabbit hunts by the applicants under the supervision of officers of the Department, and where such rabbit hunts are organized within the areas specified in subsection 3, the provisions of the aforementioned subsection as to the use of any fire-arm or air-gun except under the authority of a license, shall not apply to persons comprising such rabbit hunts.

Rev. Stat., c. 318, s. 19, amended. 5. Section 19 of *The Game and Fisheries Act* is amended by adding thereto the following subsection:

License to be carried on person. (6) No person to whom a license has been issued shall be entitled to hunt, pursue, kill or take any game animal or bird unless at the time of such hunting, pursuing, killing or taking he shall have such license on his person, and such licensee shall also wear in a conspicuous place the badge furnished by the Department and a license shall not be valid without the badge bearing the corresponding number.

Rev. Stat., c. 318, s. 20, cl. d, amended. 6. The clause lettered *d* in section 20 of *The Game and Fisheries Act* is amended by striking out the word "caribou" where it appears in the first line of the said clause.

Rev. Stat., c. 318, s. 35, amended. 7. Section 35 of *The Game and Fisheries Act* is amended by adding thereto the following subsection:

Poisoning wolves. (2) Notwithstanding the provisions of the foregoing section, the Department may issue to a limited number of expert trappers, permits authorizing the use of poison for the taking of wolves.

Rev. Stat., c. 318, s. 36, amended. 8. Section 36 of *The Game and Fisheries Act* is amended by adding thereto the following subsection:

Where snares prohibited. (2) It shall be unlawful for any person to use snares for any purpose in the counties of Lennox, Addington, Frontenac, Leeds and Grenville.

**9.** Section 48 of *The Game and Fisheries Act* is amended Rev. Stat.,  
c. 318, s. 48,  
amended. by inserting after the word "vehicle" where it appears in the seventh and ninth lines respectively the words "aeroplane or Use of  
airplanes. any other flying machine."

**10.** Subsection 2 of section 59 of *The Game and Fisheries Act* as amended by subsection 1 of section 9 of *The Game and Fisheries Act, 1928*, is further amended by inserting after Rev. Stat.,  
c. 318, s. 59,  
subs. 2,  
amended. the word "vehicle" where it appears in the fourth and fifth lines respectively the words "aeroplane or any other flying Use of  
airplanes. machine."

**11.** This Act shall come into force on the 1st day of June, Commence,  
ment of Act. 1929.

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BILL.

An Act to amend The Game and Fisheries Act.

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*1st Reading*

March 25th, 1929.

*2nd Reading*

March 26th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. McCREA.

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TORONTO:·

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# BILL

## An Act to amend The Wolf Bounty Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Wolf Bounty Act, 1929.* Short title.
2. *The Wolf Bounty Act* is amended by adding thereto the following sections: Rev. Stat., c. 329, amended.
  13. Every person who, except under the authority of a permit issued by the Department, keeps in captivity any live wolf shall in respect of any animal so kept, incur a penalty of not less than \$10 and not more than \$50 and in default of payment thereof shall be imprisoned for a term not exceeding three months unless the penalty is sooner paid. Keeping wolves in captivity prohibited.
  - 14.—(1) Every person who presents or sends to the Department for bounty, or who is a party to presenting or sending to the Department for bounty, any wolf skin upon which the bounty has been paid by the Department, shall incur a penalty of not less than \$20 and not more than \$100 in respect of every wolf skin so presented or sent, and in default of payment thereof shall be imprisoned for a term not exceeding three months unless the penalty is sooner paid. Penalties repealing bounties.
  - (2) Upon the conviction of an offence under subsection 1 the justice shall order that every wolf skin in respect of which the offence was committed shall be confiscated and delivered to the Crown. Forfeiture of skin.
  - (3) Where in any action, prosecution or other proceeding under this Act, a person claims that bounty is payable in respect of a wolf skin and that such bounty has not been previously paid, the burden of proof shall be upon such person. Burden of proof.

Rev. Stat.,  
c. 121.

15. *The Summary Convictions Act* shall apply as to prosecutions for offences under this Act.

Commence-  
ment of Act.

3. This Act shall come into force on the 1st day of June, 1929.

19 George A. 1884  
Dennis

Ontario.  
19 George V, 1929.

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BILL.

An Act to amend the Wolf Bounty Act.

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*1st Reading*

March 25th, 1929.

*2nd Reading*

*3rd Reading*

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MR. McCREA.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Wolf Bounty Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Wolf Bounty Act, 1929.* Short title.

2. *The Wolf Bounty Act* is amended by adding thereto the following sections: Rev. Stat., c. 320, amended.

13. Every person who, except under the authority of a permit issued by the Department, keeps in captivity any live wolf shall in respect of any animal so kept, incur a penalty of not less than \$10 and not more than \$50 and in default of payment thereof shall be imprisoned for a term not exceeding three months unless the penalty is sooner paid. Keeping wolves in captivity prohibited.

14.—(1) Every person who presents or sends to the Department for bounty, or who is a party to presenting or sending to the Department for bounty, any wolf skin upon which the bounty has been paid by the Department, shall incur a penalty of not less than \$20 and not more than \$100 in respect of every wolf skin so presented or sent, and in default of payment thereof shall be imprisoned for a term not exceeding three months unless the penalty is sooner paid. Penalties repealing bounties.

(2) Upon the conviction of an offence under subsection 1 the justice shall order that every wolf skin in respect of which the offence was committed shall be confiscated and delivered to the Crown. Forfeiture of skin.

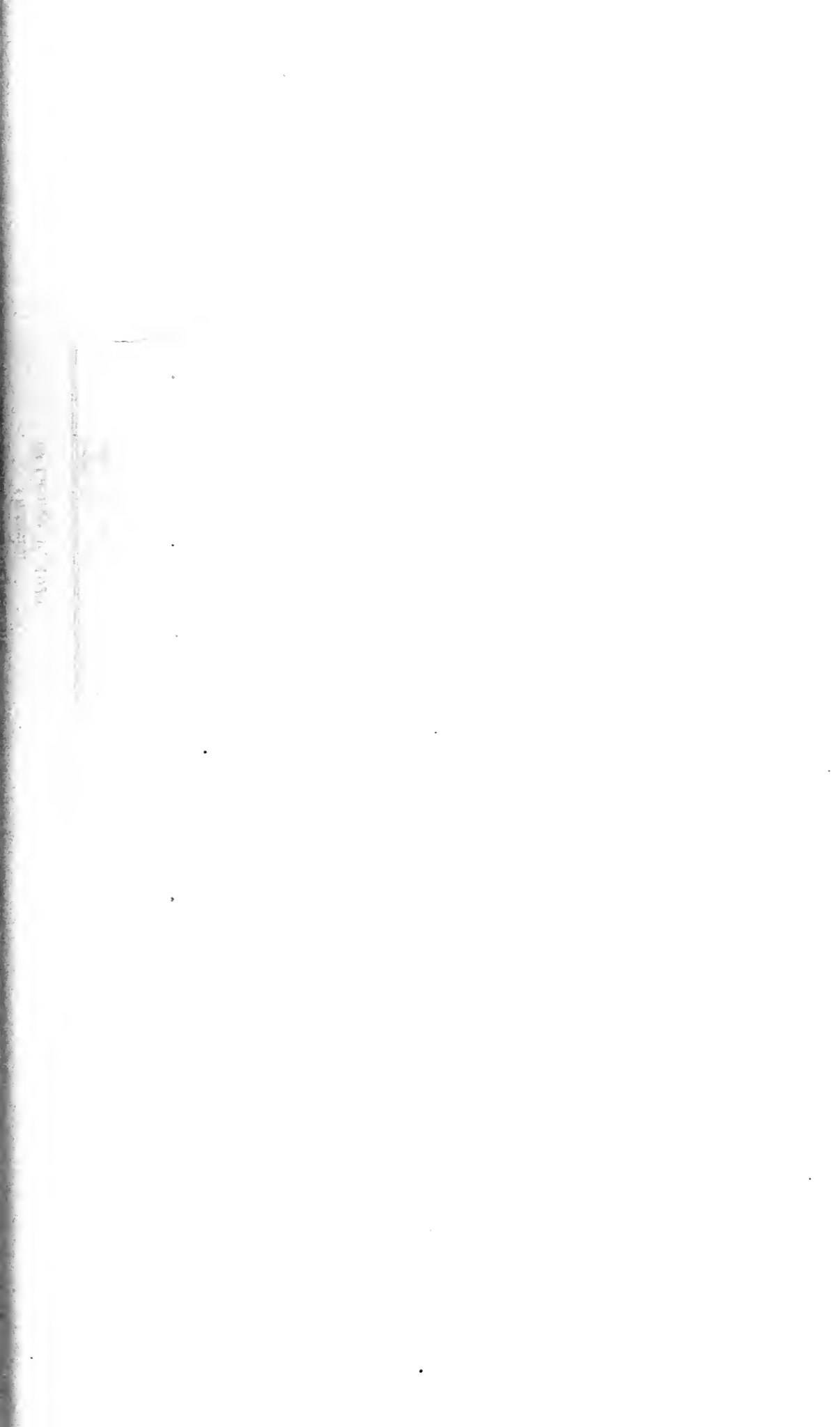
(3) Where in any action, prosecution or other proceeding under this Act, a person claims that bounty is payable in respect of a wolf skin and that such bounty has not been previously paid, the burden of proof shall be upon such person. Burden of proof.

Rev. Stat.,  
c. 121.

15. *The Summary Convictions Act* shall apply as to prosecutions for offences under this Act.

Commence-  
ment of Act.

3. This Act shall come into force on the 1st day of June, 1929.



Ontario.  
19 George V, 1929.

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BILL.

An Act to amend The Wolf Bounty Act.

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*1st Reading*

March 25th, 1929.

*2nd Reading*

March 26th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. McCREA.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## The Municipal Amendment Act, 1929.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 70 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 70, amended.

(4a) Before making the declaration the candidate shall submit to the treasurer or the collector of taxes of the municipality a list of all lands in the municipality of which the candidate is the owner or tenant, but not including land of which he is a tenant as set out in clause (r) of subsection (1) of section 53, and shall procure from such official and file with his declaration a certificate that there are no municipal taxes or rates due on any of such lands, and the clerk shall not place on the ballot paper the name of any candidate who fails to file such certificate with his declaration. Candidates to file certificate as to payment of taxes with declaration of qualification.

**2.** Subsection 2 of section 109 of *The Municipal Act* is amended by adding thereto the following words "and any such by-law shall remain in force from year to year until repealed." Rev. Stat., c. 233, s. 109, subs. 2, amended.

**3.** Section 299 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat. c. 233, s. 299 amended.

(1a) A county council may also borrow without the assent of the electors a sum not exceeding \$50,000 by the issue of debentures payable within thirty years for the purpose of making a grant for the erection, establishment, maintenance or equipment of a public hospital in any municipality, including a city or separated town, in the county. Special power of county to borrow for hospital purposes.

**4.** Section 358 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat. c. 233, s. 358, amended.

Designating  
police  
magistrate  
where more  
than one.

(3a) If there are two or more police magistrates the Lieutenant-Governor in Council shall designate the police magistrate who is to be a member of the board.

Rev. Stat.,  
c. 233, s. 396,  
par. 31,  
amended.  
Acquiring  
land, air  
harbours or  
landing  
grounds.

5. Paragraph 31 of section 396 of *The Municipal Act* is amended by adding at the beginning thereof the words, "For acquiring land in the municipality or in an adjacent or adjoining municipality."

Rev. Stat.,  
c. 233, s. 396,  
amended.

6. Section 396 of *The Municipal Act* is amended by adding thereto the following paragraph:

Officers  
becoming  
members of  
association  
for improv-  
ing technical  
knowledge.

42a. For any corporation officers becoming members of any municipal union or association for extending and improving the technical skill of such municipal officers in the discharge of their municipal duties, and for paying the fees for such membership, and for paying the expenses of such officers attending any meeting of such union or association or upon its business.

Rev. Stat.  
c. 233,  
s. 406,  
amended.

7. Section 406 of *The Municipal Act* is amended by adding thereto the following paragraph:

*Police Signal System.*

Police signal  
system.

7a. For purchasing and installing apparatus, appliances and equipment for a police signal system at a cost not exceeding \$20,000 in the case of a city and \$10,000 in the case of a town, and for the issue of debentures therefor, payable in equal annual instalments of principal and interest during a period not exceeding ten years.

(a) It shall not be necessary to obtain the assent of the electors to the by-law if it is passed by a vote of two-thirds of all the members of the council.

Rev. Stat.,  
c. 233, s. 408,  
par. 1,  
amended.

8.—(1) Paragraph 1 of section 408 of *The Municipal Act* is amended by inserting after the word "cabs" in the second line thereof, the word "motor."

Rev. Stat.,  
c. 233, s. 408,  
par. 2,  
amended.

(2) Paragraph 2 of the said section 408 is amended by inserting after the word "omnibuses" in the second line thereof, the word "motor."

Rev. Stat.,  
c. 233, s. 414,  
par. 3,  
repealed.

9. Paragraph 3 of section 414 of *The Municipal Act* is repealed and the following substituted therefor:

3. For exercising the powers conferred on cities by paragraphs 2 to 6 of section 411, and for exercising the powers conferred on cities by section 412, Powers of certain townships to pass by-laws.

(a) This paragraph shall not apply to a building which was, on the day the by-law is passed, erected or used for any of the purposes enumerated in said paragraphs 2 to 6 of section 411 and in section 412, so long as it is used as it was used on that date.

**10.** *The Municipal Act* is amended by adding thereto the following section: Rev. Stat., c. 233, amended.

414a.—(1) The council of a township bordering or situate within ten miles of a city having a population of not less than 200,000 may with the assent of the electors qualified to vote on money by-laws in a defined area of the township enter into an agreement with any person for granting to such person the exclusive right, for a period not exceeding ten years, to maintain and operate busses for the conveyance of passengers in such area, over such highways in the area and at such rates for fares and charges and on such other terms and conditions as may be thought proper and providing that any deficit in operation shall be met by a special rate levied on all the rateable property in such area.

(2) The defined area shall not include any part of the township which is covered by any agreement to which the township is a party respecting the furnishing of transportation facilities for passengers.

(3) The agreement shall not affect a permit granted under *The Public Vehicle Act*.

(4) The rates for fares and charges may from time to time be increased or decreased by the Municipal Board once in any one year on the application of the township in consequence of any deficit or surplus resulting in the operation of the service.

**11.** Clauses (a) to (d) of paragraph 6 of section 429 of *The Municipal Act* are repealed and the following substituted therefor: Rev. Stat., c. 233, s. 429, par. 6, cls. (a) to (d), repealed.

*Transient Traders.*

For the purposes of paragraphs 5 and 6,—

“Transient traders,”—  
what to include.

(a) “Transient traders” shall include any person commencing business who has not resided continuously in the municipality for at least three months next preceding the time of his commencing such business there.

Stock of insolvent.

(b) The by-law shall not apply to the sale of the stock of a bankrupt or an insolvent, within the meaning of any Bankruptcy or Insolvency Act in force in Ontario, which is being sold or disposed of within the municipality in which he carried on business at the time of his becoming bankrupt or insolvent so long as no goods, wares or merchandise are added to such stock.

*Bona fide* purchaser.

(c) The by-law shall not apply to the sale of a business to a *bona fide* purchaser who continues the same.

Fees.

(d) The fee to be paid for the license shall not be less than \$100 in any municipality and shall not exceed in a city or town \$500 and in a township or village \$300.

Credit of fees on taxes.

(e) The sum paid for a license shall be credited to the person paying it on account of taxes thereafter payable by him.

Penalty for offence under this Act.

(f) Every transient trader who carries on business without a license shall be guilty of an offence and shall incur a penalty equal to the license fee which he should have paid and in addition thereto the sum of not less than \$10 and not more than \$200.

License to be displayed and penalty.

(g) Every transient trader shall cause his license to be prominently and permanently displayed in his place of business during the full term in which he is carrying on business as a transient trader and in default thereof shall incur a penalty of not less than \$1 or more than \$10.

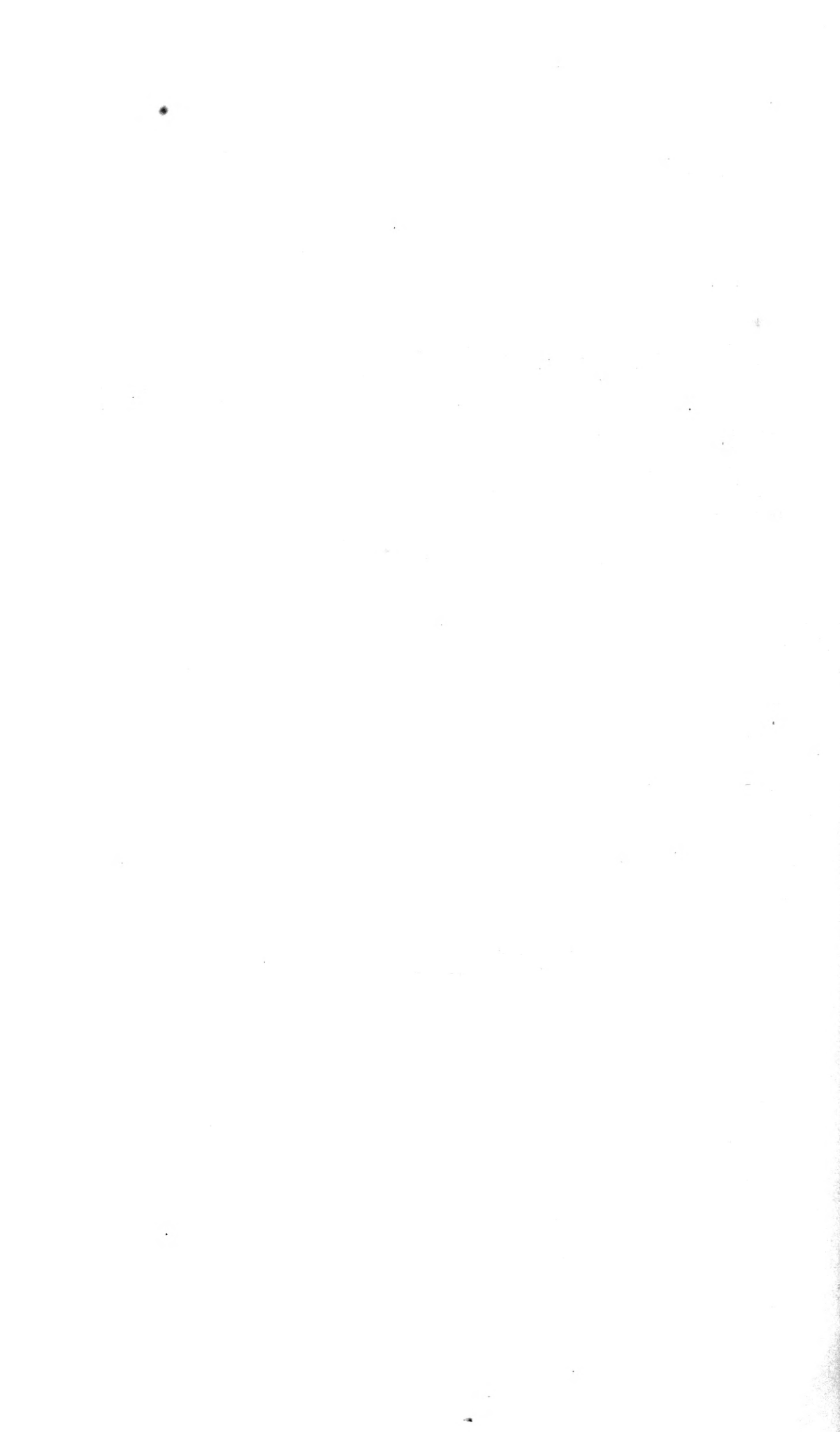
Application for license to contain certain information.

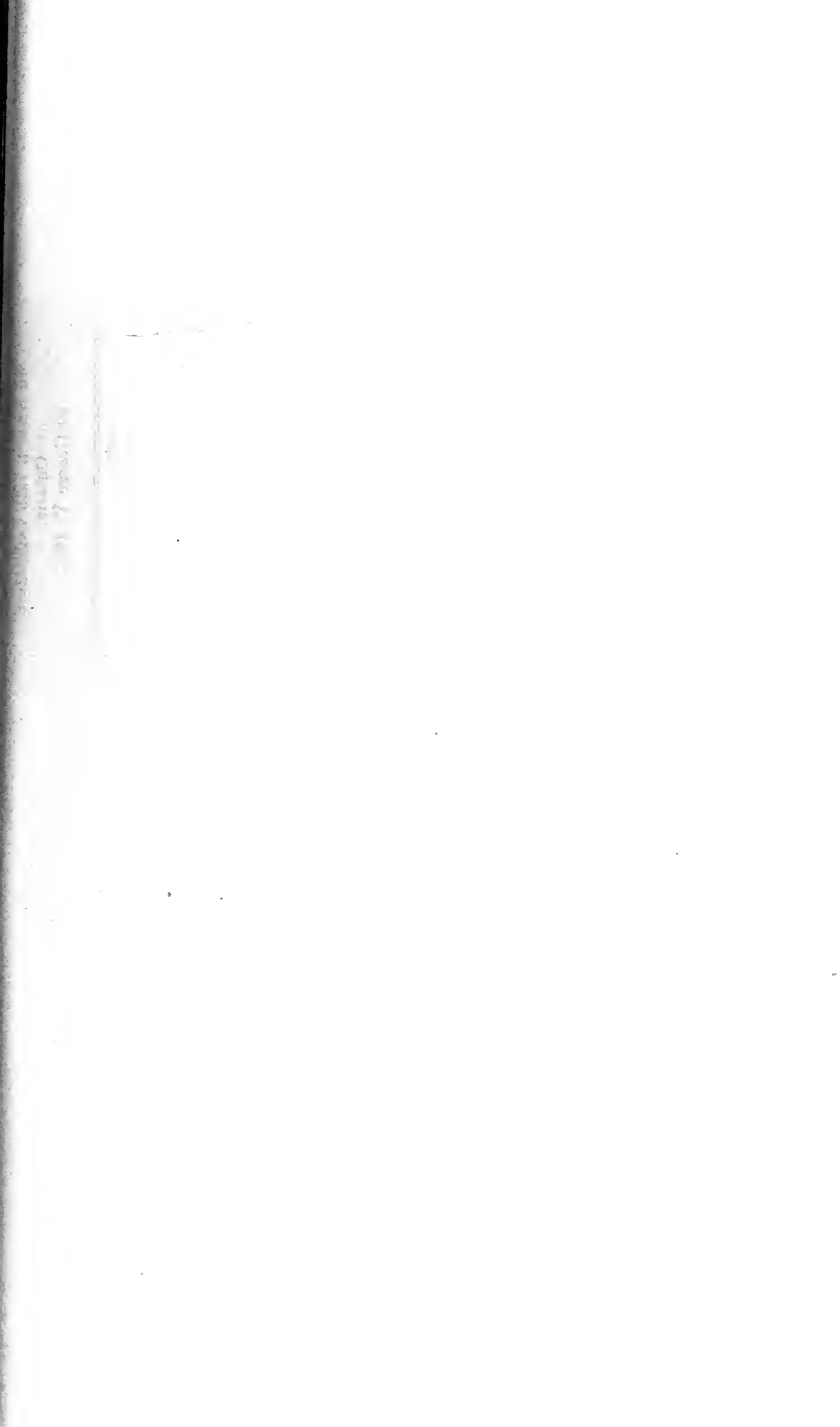
(h) Every applicant for a transient trader’s license shall as part of his application for such license

furnish a statement in writing containing a full description of the goods, wares or merchandise which he proposes to sell or offer for sale under such license.

**12.** Subsection 1 of section 438 of *The Municipal Act* is amended by inserting after the word "population" in the first line the following words "of not less than 100,000 may expend a sum not exceeding in any year twenty cents per head of its population and the council of a city having a population." Rev. Stat., c. 233, s. 438, subs. 1, amended.

**13.** Section 438 of *The Municipal Act* is amended by inserting in subsection 1, after the figures "\$3,000" in the fifth line thereof, the words "and the council of every township or town bordering on a city having a population of not less than 100,000 may expend a sum not exceeding in any year \$2,000." Rev. Stat., c. 233, s. 438, amended.





3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

The Municipal Amendment Act, 1929.

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*1st Reading*

March 26th, 1929.

*2nd Reading*

*3rd Reading*

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Mr. FINLAYSON.

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# BILL

## The Municipal Amendment Act, 1929.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 70 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 70, amended.

(4a) Before making the declaration the candidate shall submit to the treasurer or the collector of taxes of the municipality a list of all lands in the municipality of which the candidate is the owner or tenant, but not including land of which he is a tenant as set out in clause r of subsection 1 of section 53, and shall procure from such official and file with his declaration a certificate that there are no municipal taxes or rates due on any of such lands, and the clerk shall not place on the ballot paper the name of any candidate who fails to file such certificate with his declaration. Candidates to file certificate as to payment of taxes with declaration of qualification.

**2.** Subsection 2 of section 109 of *The Municipal Act* is amended by adding thereto the following words "and any such by-law shall remain in force from year to year until repealed." Rev. Stat., c. 233, s. 109, subs. 2, amended.

**3.** Section 299 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 299, amended.

(1a) A county council may also borrow without the assent of the electors a sum not exceeding \$50,000 by the issue of debentures payable within thirty years for the purpose of making a grant for the erection, establishment, maintenance or equipment of a public hospital in any municipality, including a city or separated town, in the county. Special power of county to borrow for hospital purposes.

**4.** Section 358 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 358, amended.

Designating  
police  
magistrate  
where more  
than one.

- (3a) If there are two or more police magistrates the Lieutenant-Governor in Council shall designate the police magistrate who is to be a member of the board.

Rev. Stat.,  
c. 233, s. 396,  
par. 11.

5.—(1) Paragraph 11 of section 396 of *The Municipal Act* is amended by adding at the end thereof the following clause:

- (a) A question as to securing a supply of electrical power or energy from The Hydro-Electric Power Commission of Ontario shall be submitted to the electors qualified to vote on money by-laws.

Rev. Stat.,  
c. 233, s. 396,  
par. 31.

(2) Paragraph 31 of section 396 of *The Municipal Act* is amended by adding thereto the following clause:

- (a) For the purposes of this paragraph the council of a local municipality may acquire land in the municipality or in an adjacent or an adjoining municipality.

Rev. Stat.,  
c. 233, s. 396,  
amended.

6. Section 396 of *The Municipal Act* is amended by adding thereto the following paragraph:

Officers  
becoming  
members of  
association  
for improv-  
ing technical  
knowledge.

- 42a. For any corporation officers becoming members of any municipal union or association for extending and improving the technical skill of such municipal officers in the discharge of their municipal duties, and for paying the fees for such membership, and for paying the expenses of such officers attending any meeting of such union or association or upon its business.

Rev. Stat.  
c. 233,  
s. 406,  
amended.

7. Section 406 of *The Municipal Act* is amended by adding thereto the following paragraph:

#### *Police Signal System.*

Police signal  
system.

- 7a. For purchasing and installing apparatus, appliances and equipment for a police signal system at a cost not exceeding \$20,000 in the case of a city and \$10,000 in the case of a town, and for the issue of debentures therefor, payable in equal annual instalments of principal and interest during a period not exceeding ten years.

- (a) It shall not be necessary to obtain the assent of the electors to the by-law if it is passed by a vote of two-thirds of all the members of the council.

8.—(1) Paragraph 1 of section 408 of *The Municipal Act* is amended by inserting after the word "cabs" in the second line thereof, the word "motor." Rev. Stat., c. 233, s. 408 par. 1, amended.

(2) Paragraph 2 of the said section 408 is amended by inserting after the word "omnibuses" in the second line thereof, the word "motor." Rev. Stat., c. 233, s. 408, par. 2, amended.

9. Paragraph 3 of section 414 of *The Municipal Act* is repealed and the following substituted therefor: Rev. Stat., c. 233, s. 414, par. 3, repealed.

3. For exercising the powers conferred on cities by paragraphs 2 to 6 of section 411, and for exercising the powers conferred on cities by section 412, Powers of certain townships to pass by-laws.

(a) This paragraph shall not apply to a building which was, on the day the by-law is passed, erected or used for any of the purposes enumerated in said paragraphs 2 to 6 of section 411 and in section 412, so long as it is used as it was used on that date.

10. *The Municipal Act* is amended by adding thereto the following section: Rev. Stat., c. 233, amended.

414a.—(1) The council of a township bordering on or situate within ten miles of a city having a population of not less than 200,000 may with the assent of the electors qualified to vote on money by-laws in a defined area of the township enter into an agreement with any person for granting to such person the exclusive right, for a period not exceeding ten years, to maintain and operate busses for the conveyance of passengers in such area, over such highways in the area and at such rates for fares and charges and on such other terms and conditions as may be thought proper and providing that any deficit in operation shall be met by a special rate levied on all the rateable property in such area. Agreement for operation of busses for defined area of township.

(2) The defined area shall not include any part of the township which is covered by any agreement to which the township is a party respecting the furnishing of transportation facilities for passengers.

(3) The agreement shall not affect a permit granted under *The Public Vehicle Act*. Rev. Stat., c. 252.

(4) The rates for fares and charges may from time to time be increased or decreased by the Municipal Increase or decrease of fares.

Board once in any one year on the application of the township in consequence of any deficit or surplus resulting in the operation of the service.

Rev. Stat.,  
c. 233,  
amended.

**11.** *The Municipal Act* is amended by adding thereto the following section:

Power of  
certain town-  
ship in  
unorganized  
territory to  
pass by-laws  
for certain  
purposes.

415a. The council of a township in unorganized territory having a population of not less than 5,000 and which has been declared by order of the Municipal Board to be a township part of which is so built up and populated as to entitle it to be incorporated as a town under the provisions of this Act may pass by-laws for the purposes mentioned in,—

- (a) Paragraph 4 of section 399 under the heading "*Buildings—Strength of Walls, Beams, etc.*"
- (b) Paragraph 7 of section 399 under the heading "*Cab Stands and Booths.*"
- (c) Paragraph 8 of section 399 under the heading "*Cellars—Plans of.*"
- (d) Paragraph 46 of section 399 under the heading "*Stables, etc.*"
- (e) Sections 400 and 401 under the heading "*Markets, etc.*"
- (f) Section 408 under the heading "*Vehicles used for Hire, etc.—Livery and Boarding Stables.*"
- (g) Section 417 under the heading "*Auctioneers.*"
- (h) Section 419 under the heading "*Junk and Second-hand Shops, etc.*"
- (i) Paragraph 1 of section 424.
- (j) Paragraph 1 of section 428 under the heading "*Sale of Meat.*"
- (k) Paragraph 2 of section 428 under the heading "*Tobacconists.*"

Rev. Stat.,  
c. 233, s. 429,  
par. 6, cls.  
(a) to (d),  
repealed.

**12.** Clauses (a) to (d) of paragraph 6 of section 429 of *The Municipal Act* are repealed and the following substituted therefor:

*Transient Traders.*

For the purposes of paragraphs 5 and 6,—

- (a) "Transient traders" shall include any person commencing business who has not resided continuously in the municipality for at least three months next preceding the time of his commencing such business there. <sup>"Transient traders,"— what to include.</sup>
- (b) The by-law shall not apply to the sale of the stock of a bankrupt or an insolvent, within the meaning of any Bankruptcy or Insolvency Act in force in Ontario, which is being sold or disposed of within the municipality in which he carried on business at the time of his becoming bankrupt or insolvent so long as no goods, wares or merchandise are added to such stock. <sup>Stock of insolvent.</sup>
- (c) The by-law shall not apply to the sale of a business to a *bona fide* purchaser who continues the same. <sup>Bona fide purchaser.</sup>
- (d) The fee to be paid for the license shall not be less than \$100 in any municipality and shall not exceed in a city or town \$500 and in a township or village \$300. <sup>Fees.</sup>
- (e) The sum paid for a license shall be credited to the person paying it on account of taxes thereafter payable by him. <sup>Credit of fees on taxes.</sup>
- (f) Every transient trader who carries on business without a license shall be guilty of an offence and shall incur a penalty equal to the license fee which he should have paid and in addition thereto the sum of not less than \$10 and not more than \$200. <sup>Penalty for offence under this Act.</sup>
- (g) Every transient trader shall cause his license to be prominently and permanently displayed in his place of business during the full term in which he is carrying on business as a transient trader and in default thereof shall incur a penalty of not less than \$1 or more than \$10. <sup>License to be displayed and penalty.</sup>
- (h) Every applicant for a transient trader's license shall as part of his application for such license <sup>Application for license to contain certain information.</sup>

furnish a statement in writing containing a full description of the goods, wares or merchandise which he proposes to sell or offer for sale under such license.

Rev. Stat.,  
c. 233, s. 438,  
subs. 1,  
amended.

**13.** Subsection 1 of section 438 of *The Municipal Act* is amended by inserting after the word "population" in the first line the following words "of not less than 100,000 may expend a sum not exceeding in any year twenty cents per head of its population and the council of a city having a population."

Rev. Stat.,  
c. 233, s. 438,  
subs. 1,  
amended.

**14.** Section 438 of *The Municipal Act* is amended by inserting in subsection 1, after the figures "\$3,000" in the fifth line thereof, the words "and the council of every township or town bordering on a city having a population of not less than 100,000 may expend a sum not exceeding in any year \$2,000."

Rev. Stat.,  
c. 233,  
amended.

**15.** *The Municipal Act* is amended by adding thereto the following section:

Action for  
damages for  
nuisance on  
highway.

**469a.** The provisions of subsections 2 to 8 of section 469 shall apply to an action brought against a corporation for damages occasioned by the presence of any nuisance on a highway.



Ontario.  
19 George V, 1929.

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BILL.

The Municipal Amendment Act, 1929.

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*1st Reading*

March 26th, 1929.

*2nd Reading*

March 27th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. FINLAYSON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## The Assessment Amendment Act, 1929.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 10 of *The Assessment Act* is amended by striking out in the first line the words "the amount of" so that the subsection will now read as follows: Rev. Stat., c. 238, s. 10, subs. 2, amended.

(2) The income to be assessed shall be the income received during the year ending on the 31st of December then last past. Assessment of,—how fixed.

2. Sections 12 and 13 of *The Assessment Act* are repealed and the following substituted therefor: Rev. Stat., c. 238, ss. 12, 13, repealed.

12.—(1) The income of money invested in Ontario by a person resident out of Ontario and the income of money invested by such a person through an agent or trustee resident within Ontario shall not be assessed. Income of money invested by non-residents not assessable.

(2) Subject to subsection 1 the income of every estate or trust fund held by executors or administrators, trustees or agents shall, when the person beneficially entitled is resident out of Ontario, be assessed in the hands of such executors, administrators, trustees or agents who may pay the amount of taxes out of the income in their hands. Payment of tax by trustee out of income.

(3) Any executor, administrator, trustee or agent failing to pay the income tax thereon out of the trust fund shall be personally liable therefor. Failure of trustee to pay.

(4) Income received by an executor, administrator, trustee or agent which is not distributable annually but is accumulated shall be liable to assessment from year to year but shall not be liable to be again assessed when the accumulated fund is distributed. Assessment of income not distributed annually.

Place of  
assessment.

- (5) An assessment under this section shall be made at the place of the residence of the testator at the time of his death or of the settlor at the date of the settlement, or, if this is not within Ontario, where the trustee or agent resides, or, if there be more than one, where the chief business of the trust is carried on.

Rev. Stat.,  
c. 238, s. 20,  
subs. 1,  
amended.

3. Subsection 1 of section 20 of *The Assessment Act* is amended by striking out the words "showing his total income from all sources during the current year and in ascertaining such income subsection 2 of section 10 shall apply" in the fifth, sixth and seventh lines and substituting therefor the words "showing the income received during the year ending on the 31st of December then last past."

Rev. Stat.,  
c. 238,  
s. 57, subs. 1,  
amended.

- 4.—(1) Subsection 1 of section 57 of *The Assessment Act* is amended by striking out the words at the end thereof "and the owner of the land shall have the right to appeal, as provided in section 121."

S. 57, subs. 2,  
amended.

- (2) Subsection 2 of the said section 57 is amended by striking out the words at the end thereof "and the party so assessed and taxed shall have the right of appeal as provided in section 121."

S. 57,  
amended.

- (3) The said section 57 is further amended by adding the following subsection:

Notice  
to person  
taxed and  
right of  
appeal.

- (3) Where the clerk performs any of the duties required by this section he shall forthwith thereafter deliver to or send by registered letter post to the person so taxed a notice setting out the amount of the assessment and of the taxes entered on the roll, and such person shall have the right to appeal within ten days thereafter to the court of revision, and an appeal may also be had to the county judge by such person or by the municipality from any decision of the court of revision.

Rev. Stat.,  
c. 238, s. 60,  
subs. 3,  
amended.

5. Subsection 3 of section 60 of *The Assessment Act* is amended by striking out in the last two lines the words "within three days after the decision of the court of revision is given" and inserting in lieu thereof the words "within five days after the decision of the court of revision where it is given at the hearing of the appeal, and where it is reserved within five days after written notice of such decision has been delivered to the appellant or sent to him by registered letter post by the clerk of the court."

6. Section 112 of *The Assessment Act* is amended by adding thereto the following subsection,—

Rev. Stat.,  
c. 238, s. 112,  
amended.

- (12) Where the person making any such distress and levy is a salaried employee of the municipal corporation the costs in respect to such distress and levy shall belong to the corporation.

Costs  
of distress  
when to  
belong to  
corporation.

7. Section 121 of *The Assessment Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 238, s. 121,  
repealed.

121.—(1) An application to the court of revision for the cancellation or reduction of taxes may be made by any person assessed,—

Application  
to Court of  
Revision for  
cancellation  
or reduction  
of taxes.

- (a) for a tenement which remained vacant during more than three months in the year in which the assessment was made; or
- (b) who declares that from sickness or extreme poverty he is unable to pay his taxes; or
- (c) who by reason of any gross or manifest error in the assessment roll has been overcharged; or
- (d) for business who has not carried on such business for the whole year in which the assessment was made,

and the court of revision subject to the provisions of any by-law governing clauses (a), (b) and (c) may cancel or reduce the taxes or reject the application.

- (2) In the case of a municipality in which the assessment is made in one year and adopted by the council of the following year as the assessment for such following year the application may be made at any time during such following year, and in the case of any other municipality at any time after the person assessed has received notice of taxes and before the first day of July in the following year, and five days' notice in writing shall be given to the clerk of the municipality of the application.
- (3) There shall be no appeal from the decision of the court of revision under clauses (a), (b) or (c) but an appeal may be had to the county judge by such person or by the municipality from any decision of the court of revision made under clause (d).

Time  
for making  
application.

Appeal  
under  
clause (d).

Tenant though not on roll may be required to pay part of taxes.

- (4) Where any person makes application for the reduction of taxes on a business assessment the court of revision may on notice to such person direct that a proper proportion of the taxes be levied against the tenant or person who occupied the premises and carried on business there in the year in which the assessment was made, for the time during which the said tenant was in occupation, although the name of such tenant or person does not appear on the assessment roll in respect of said premises. In determining the amount payable regard shall be had to the nature of the business carried on.

Rev. Stat.,  
c. 238, s.  
143, subs. 1,  
repealed.

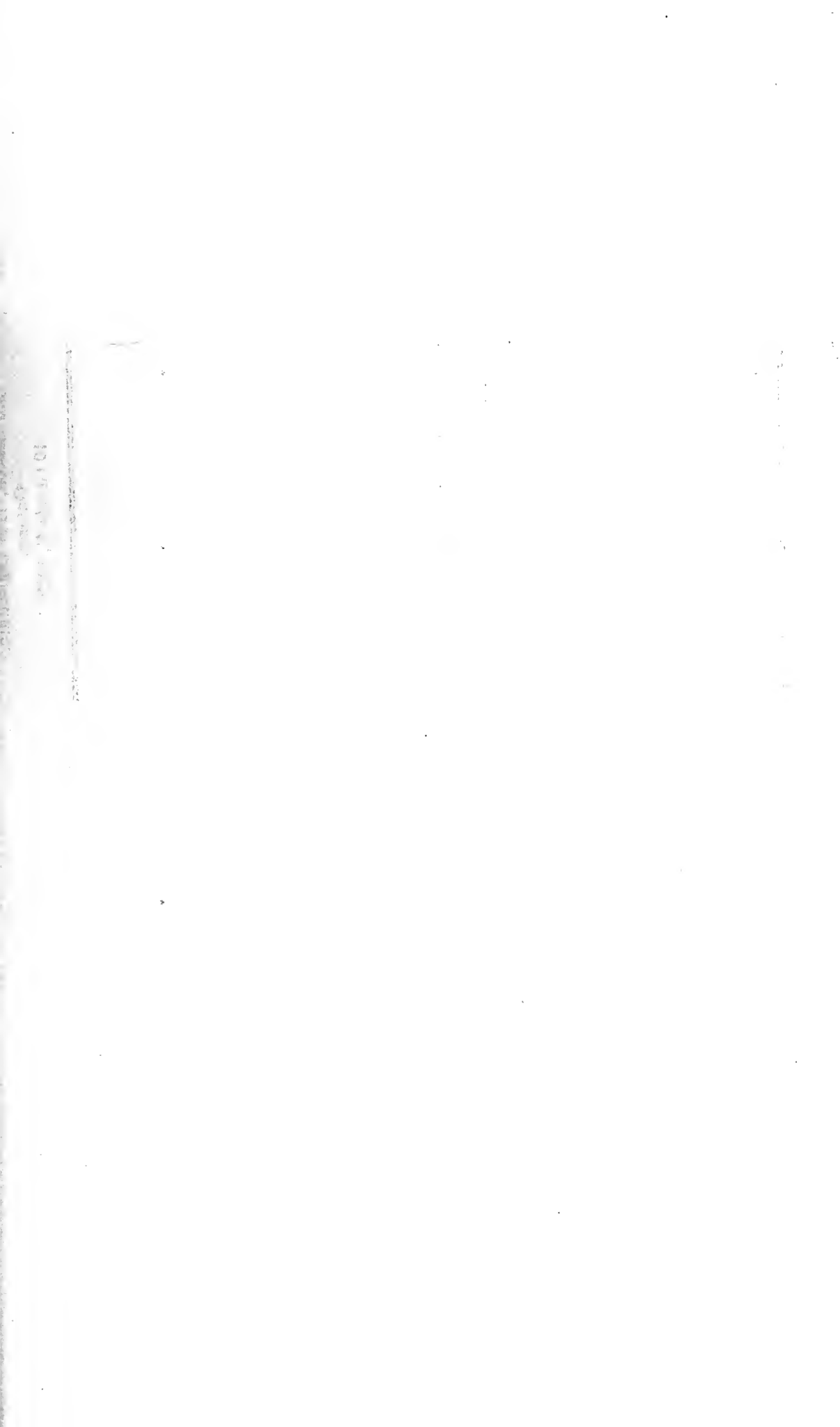
**8.** Subsection 1 of section 143 of *The Assessment Act* is repealed and the following substituted therefor,—

Percentage  
to be added  
to arrears.

- 143.—(1) In cities having a population of not less than 100,000 the treasurer, or the collector if the rolls are unreturned, shall add to the amount of all taxes due and unpaid interest from the first day of May in the year following the year in which such taxes are levied until such taxes are paid, at the rate of six per cent. per annum on taxes due in respect to any parcel of land and at the rate of six per cent. per annum on taxes due in respect to any business or income assessment, and such interest shall form part of the taxes and shall be collected irrespective of any percentage charge imposed under the provisions of section 111 of this Act.







Ontario,  
19 George V, 1929.

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BILL.

The Assessment Amendment Act, 1929.

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*1st Reading,*

March 26th, 1929.

*2nd Reading,*

*3rd Reading,*

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MR. FINLAYSON.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

## The Assessment Amendment Act, 1929.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 10 of *The Assessment Act* is amended by striking out in the first line the words "the amount of" so that the subsection will now read as follows: Rev. Stat., c. 238, s. 10, subs. 2, amended.

(2) The income to be assessed shall be the income received during the year ending on the 31st of December then last past. Assessment of,—how fixed.

2. Sections 12 and 13 of *The Assessment Act* are repealed and the following substituted therefor: Rev. Stat., c. 238, ss. 12, 13, repealed.

12.—(1) The income of money invested in Ontario by a person resident out of Ontario and the income of money invested by such a person through an agent or trustee resident within Ontario shall not be assessed. Income of money invested by non-residents not assessable.

(2) Subject to subsection 1 the income of every estate or trust fund held by executors or administrators, trustees or agents shall, when the person beneficially entitled is resident out of Ontario, be assessed in the hands of such executors, administrators, trustees or agents who may pay the amount of taxes out of the income in their hands. Payment of tax by trustee out of income.

(3) Any executor, administrator, trustee or agent failing to pay the income tax thereon out of the trust fund shall be personally liable therefor. Failure of trustee to pay.

(4) Income received by an executor, administrator, trustee or agent which is not distributable annually but is accumulated shall be liable to assessment from year to year but shall not be liable to be again assessed when the accumulated fund is distributed. Assessment of income not distributed annually.

Place of  
assessment.

(5) An assessment under this section shall be made at the place of the residence of the testator at the time of his death or of the settlor at the date of the settlement, or, if this is not within Ontario, where the trustee or agent resides, or, if there be more than one, where the chief business of the trust is carried on.

Rev. Stat.,  
c. 238, s. 20,  
subs. 1,  
amended.

3. Subsection 1 of section 20 of *The Assessment Act* is amended by striking out the words "showing his total income from all sources during the current year and in ascertaining such income subsection 2 of section 10 shall apply" in the fifth, sixth and seventh lines and substituting therefor the words "showing the income received during the year ending on the 31st of December then last past."

Rev. Stat.,  
c. 238,  
s. 57, subs. 1,  
amended.

4.—(1) Subsection 1 of section 57 of *The Assessment Act* is amended by striking out the words at the end thereof "and the owner of the land shall have the right to appeal, as provided in section 121."

S. 57, subs. 2,  
amended.

(2) Subsection 2 of the said section 57 is amended by striking out the words at the end thereof "and the party so assessed and taxed shall have the right of appeal as provided in section 121."

S. 57,  
amended.

(3) The said section 57 is further amended by adding the following subsection:

Notice  
to person  
taxed and  
right of  
appeal.

(3) Where the clerk performs any of the duties required by this section he shall forthwith thereafter deliver to or send by registered letter post to the person so taxed a notice setting out the amount of the assessment and of the taxes entered on the roll, and such person shall have the right to appeal within ten days thereafter to the court of revision, and an appeal may also be had to the county judge by such person or by the municipality from any decision of the court of revision.

Rev. Stat.,  
c. 238, s. 60,  
subs. 3,  
amended.

5. Subsection 3 of section 60 of *The Assessment Act* is amended by striking out in the last two lines the words "within three days after the decision of the court of revision is given" and inserting in lieu thereof the words "within five days after the decision of the court of revision where it is given at the hearing of the appeal, and where it is reserved within five days after written notice of such decision has been delivered to the appellant or sent to him by registered letter post by the clerk of the court."

6. Section 112 of *The Assessment Act* is amended by adding thereto the following subsection,— Rev. Stat., c. 238, s. 112, amended.

- (12) Where the person making any such distress and levy is a salaried employee of the municipal corporation the costs in respect to such distress and levy shall belong to the corporation. Costs of distress,— when to belong to corporation.

7. Section 121 of *The Assessment Act* is repealed and the following substituted therefor: Rev. Stat., c. 238, s. 121, repealed.

121.—(1) An application to the court of revision for the cancellation or reduction of taxes may be made by any person assessed,— Application to Court of Revision for cancellation or reduction of taxes.

- (a) for a tenement which remained vacant during more than three months in the year in which the assessment was made; or
- (b) who declares that from sickness or extreme poverty he is unable to pay his taxes; or
- (c) who by reason of any gross or manifest error in the assessment roll has been overcharged; or
- (d) for business who has not carried on such business for the whole year in which the assessment was made,

and the court of revision subject to the provisions of any by-law governing clauses (a), (b) and (c) may cancel or reduce the taxes or reject the application.

- (2) In the case of a municipality in which the assessment is made in one year and adopted by the council of the following year as the assessment for such following year the application may be made at any time during such following year, and in the case of any other municipality at any time after the person assessed has received notice of taxes and before the first day of July in the following year, and five days' notice in writing shall be given to the clerk of the municipality of the application. Time for making application.
- (3) There shall be no appeal from the decision of the court of revision under clauses (a), (b) or (c) but an appeal may be had to the county judge by such person or by the municipality from any decision of the court of revision made under clause (d). Appeal under clause (d).

Tenant though not on roll may be required to pay part of taxes.

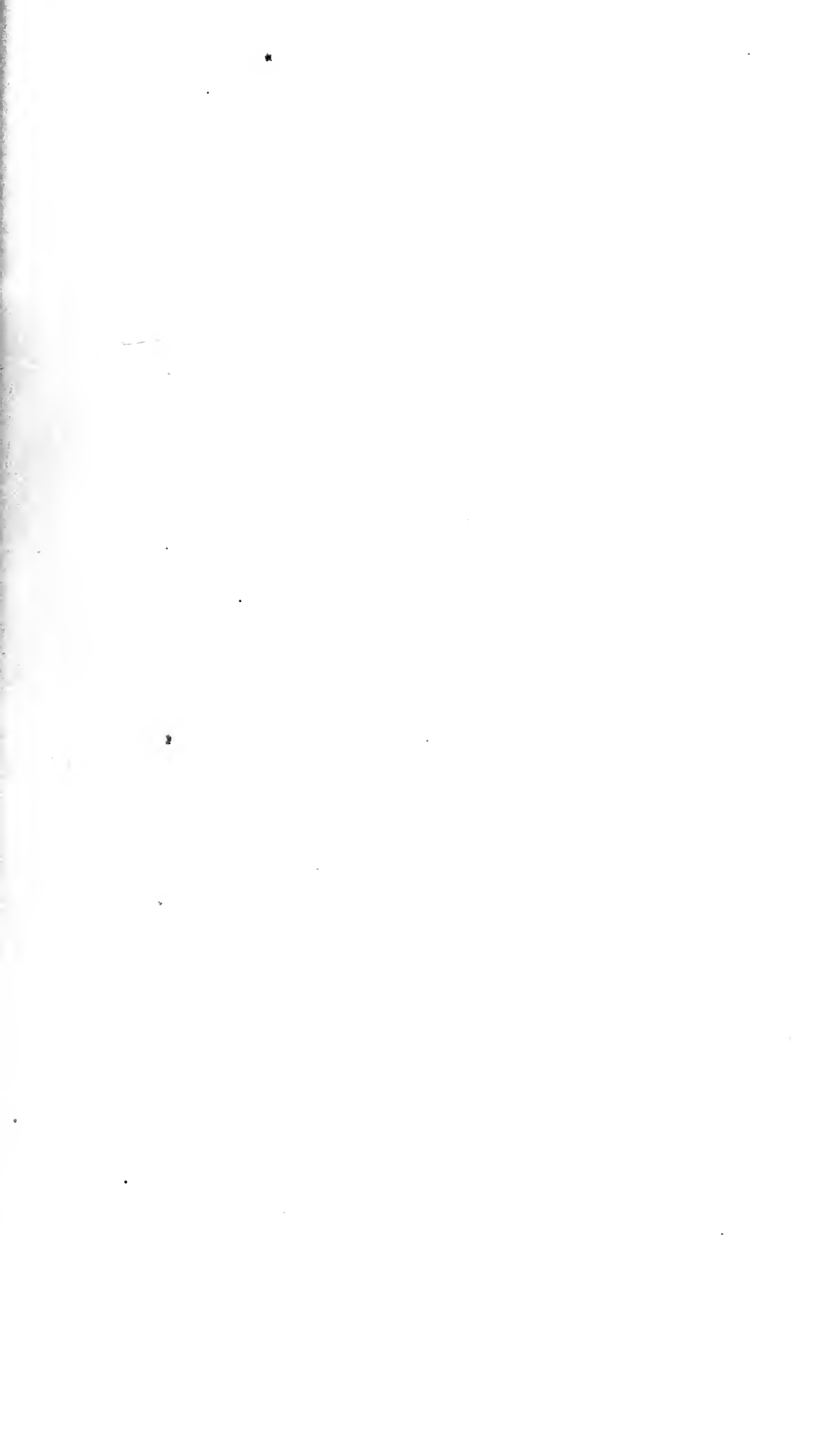
- (4) Where any person makes application for the reduction of taxes on a business assessment the court of revision may on notice to such person direct that a proper proportion of the taxes be levied against the tenant or person who occupied the premises and carried on business there in the year in which the assessment was made, for the time during which the said tenant was in occupation, although the name of such tenant or person does not appear on the assessment roll in respect of said premises. In determining the amount payable regard shall be had to the nature of the business carried on.

Rev. Stat.,  
c. 238, s.  
143, subs. 1,  
repealed.

8. Subsection 1 of section 143 of *The Assessment Act* is repealed and the following substituted therefor,—

Percentage to be added to arrears.

- 143.—(1) In cities having a population of not less than 100,000 the treasurer, or the collector if the rolls are unreturned, shall add to the amount of all taxes due and unpaid interest from the first day of May in the year following the year in which such taxes are levied until such taxes are paid, at the rate of six per cent. per annum on taxes due in respect to any parcel of land and at the rate of six per cent. per annum on taxes due in respect to any business or income assessment, and such interest shall form part of the taxes and shall be collected irrespective of any percentage charge imposed under the provisions of section 111 of this Act.







Ontario,  
19 George V, 1929.

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BILL.

The Assessment Amendment Act, 1929.

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*1st Reading,*

March 26th, 1929.

*2nd Reading,*

March 27th, 1929.

*3rd Reading,*

March 28th, 1929.

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MR. FINLAYSON.

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T O R O N T O :

Printed by

The Printer to the King's Most Excellent Majesty.



# BILL

An Act to validate certain By-laws respecting The Hydro-Electric Power Commission of Ontario.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Power Commission Act*, Short title.  
1929 (No. 2).

2. By-law number 40-1928 of the corporation of the city of Kingston; by-law number 1669 of the corporation of the city of Sarnia; by-law number 1820 of the corporation of the town of Lindsay; by-law number 338 of the corporation of the village of Athens; by-law number 54-1927 of the corporation of the village of Finch; by-law number 302 of the corporation of the village of Richmond; by-law number 222A of the corporation of the police village of Bridgeport; by-law number 338 of the corporation of the township of Adelaide; by-laws numbers 504 and 512 of the corporation of the township of Alnwick; by-law number 356 of the corporation of the township of Amabel; by-law number 187 of the corporation of the township of Asphodel; by-law number 20 of the corporation of the township of Blanshard; by-law number 2030 of the corporation of the township of Brantford; by-law number A8 of the corporation of the township of Brighton; by-law number 592 of the corporation of the township of Camden East; by-law number 680 of the corporation of the township of Cavan; by-law number 1244 of the corporation of the township of Chatham; by-law number 4-1928 of the corporation of the township of Eramosa; by-law number 10 of the corporation of the township of Ernesttown; by-laws numbers 593 and 604 of the corporation of the township of Euphemia; by-law number 8 of the corporation of the township of Finch; by-law number 7 of the corporation of the township of Fredericksburg North; by-laws numbers 481, 482 and 483 of the corporation of the township of Gainsboro; by-law number 11 of the corporation of the township of Garafraxa West; by-law number 9-1928 of the corporation of the township of Goderich; by-law number 595 of the corporation of the township of

Gosfield North; by-law number 17-1928 of the corporation of the township of Grey; by-law number 615 of the corporation of the township of Gwillimbury West; by-law number 12 of the corporation of the township of Howick; by-law numbers 6-1928 and 11-1928 of the corporation of the township of Hullett; by-law number 5-1928 of the corporation of the township of Keppel; by-law number 51 of the corporation of the township of Metcalfe; by-law number 403 of the corporation of the township of Montague; by-law number 641 of the corporation of the township of Mornington; by-law number 673 of the corporation of the township of Mulmur; by-law number 18 of the corporation of the township of Osnabruck; by-law number 833 of the corporation of the township of Percy; by-law number 664 of the corporation of the township of Rear Escott and Yonge; by-law number 82 of the corporation of the township of Scott; by-law number 305 of the corporation of the township of Seneca; by-law number 239 of 1928 of the corporation of the township of Stamford; by-law number 8 of the corporation of the township of Stanley; by-law number 3-1928 of the corporation of the township of St. Vincent; by-law number 795 of the corporation of the township of Thurlow; by-law number 461 of the corporation of the township of Tilbury West; by-laws numbers 445 and 446 of the corporation of the township of Trafalgar; by-law number 24 of the corporation of the township of Turnbury; by-law number 779 of the corporation of the township of Tyendinaga; by-law number 1192 of the corporation of the township of Vaughan; by-law number 727 of the corporation of the township of Vespra; by-law number 8-1928 of the corporation of the township of Wawanosh East; by-law number 5-1928 of the corporation of the township of Wawanosh West; by-law number 1015 of the corporation of the township of Whitby East; by-law number 449 of the corporation of the township of Woford; by-law number 359 of the corporation of the township of Woodhouse; by-law number 8 of 1927 of the corporation of the township of Zone; and all debentures issued or to be issued or purporting to be issued under any of the said by-laws which authorize the issue of debentures are confirmed and declared to be legal, valid and binding upon such corporations and the ratepayers thereof respectively and shall not be open to question upon any ground whatsoever notwithstanding the requirements of *The Power Commission Act* or the amendments thereto or any other general or special Act of this Legislature.

Rev. Stat.,  
c. 57.

By-laws  
776 and 781  
town of  
Southamp-  
ton  
confirmed.

**3.—(1)** By-laws numbers 776 and 781 of the corporation of the town of Southampton and all debentures issued or to be issued or purporting to be issued under the said by-law number 781 are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof

respectively, and shall not be open to question upon any ground whatsoever, and the said corporation may enter into a contract with the Commission and such contract shall be legal, valid and binding upon the said corporation and the ratepayers thereof respectively and shall not be open to question upon any ground whatsoever, notwithstanding the requirements of *The Power Commission Act* or the amendments thereto or any other general or special Act of this Legislature, and notwithstanding any action or proceeding heretofore commenced or now pending or any judgment or other decision which may be rendered therein; provided nevertheless that the costs in any such action or proceeding shall be awarded and taxed and payable as if this section had not been enacted.

Rev. Stat.,  
c. 57.

(2) This section shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.

Commence-  
ment of  
section 3.

4. Save as herein otherwise provided this Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

Ontario.  
19 George V, 1929.

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BILL.

An Act to Validate Certain By-laws  
Respecting the Hydro-Electric Power  
Commission of Ontario.

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*1st Reading*

March 26th, 1929.

*2nd Reading*

*3rd Reading*

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MR. COOKE.

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TORONTO:

Printed by

The Printer to the King's Most Excellent Majesty.

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# BILL

An Act to validate certain By-laws respecting The Hydro-Electric Power Commission of Ontario.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Power Commission Act*, <sup>Short title.</sup> 1929 (No. 2).

2. By-law number 40-1928 of the corporation of the city of Kingston; by-law number 1669 of the corporation of the city of Sarnia; by-law number 1820 of the corporation of the town of Lindsay; by-law number 338 of the corporation of the village of Athens; by-law number 54-1927 of the corporation of the village of Finch; by-law number 302 of the corporation of the village of Richmond; by-law number 222A of the corporation of the police village of Bridgeport; by-law number 338 of the corporation of the township of Adelaide; by-laws numbers 504 and 512 of the corporation of the township of Alnwick; by-law number 356 of the corporation of the township of Amabel; by-law number 187 of the corporation of the township of Asphodel; by-law number 20 of the corporation of the township of Blanshard; by-law number 2030 of the corporation of the township of Brantford; by-law number A8 of the corporation of the township of Brighton; by-law number 592 of the corporation of the township of Camden East; by-law number 680 of the corporation of the township of Cavan; by-law number 1244 of the corporation of the township of Chatham; by-law number 4-1928 of the corporation of the township of Eramosa; by-law number 10 of the corporation of the township of Ernesttown; by-laws numbers 593 and 604 of the corporation of the township of Euphemia; by-law number 8 of the corporation of the township of Finch; by-law number 7 of the corporation of the township of Fredericksburg North; by-laws numbers 481, 482 and 483 of the corporation of the township of Gainsboro; by-law number 11 of the corporation of the township of Garafraxa West; by-law number 9-1928 of the corporation of the township of Goderich; by-law number 595 of the corporation of the township of

Gosfield North; by-law number 17-1928 of the corporation of the township of Grey; by-law number 615 of the corporation of the township of Gwillimbury West; by-law number 12 of the corporation of the township of Howick; by-law numbers 6-1928 and 11-1928 of the corporation of the township of Hullett; by-law number 5-1928 of the corporation of the township of Keppel; by-law number 51 of the corporation of the township of Metcalfe; by-law number 403 of the corporation of the township of Montague; by-law number 641 of the corporation of the township of Mornington; by-law number 673 of the corporation of the township of Mulmur; by-law number 18 of the corporation of the township of Osnabruck; by-law number 833 of the corporation of the township of Percy; by-law number 664 of the corporation of the township of Rear Escott and Yonge; by-law number 82 of the corporation of the township of Scott; by-law number 305 of the corporation of the township of Seneca; by-law number 239 of 1928 of the corporation of the township of Stamford; by-law number 8 of the corporation of the township of Stanley; by-law number 3-1928 of the corporation of the township of St. Vincent; by-law number 795 of the corporation of the township of Thurlow; by-law number 461 of the corporation of the township of Tilbury West; by-laws numbers 445 and 446 of the corporation of the township of Trafalgar; by-law number 24 of the corporation of the township of Turnbury; by-law number 779 of the corporation of the township of Tyendinaga; by-law number 1192 of the corporation of the township of Vaughan; by-law number 727 of the corporation of the township of Vespra; by-law number 8-1928 of the corporation of the township of Wawanosh East; by-law number 5-1928 of the corporation of the township of Wawanosh West; by-law number 1015 of the corporation of the township of Whitby East; by-law number 449 of the corporation of the township of Woford; by-law number 359 of the corporation of the township of Woodhouse; by-law number 8 of 1926 of the corporation of the township of Zone; and all debentures issued or to be issued or purporting to be issued under any of the said by-laws which authorize the issue of debentures are confirmed and declared to be legal, valid and binding upon such corporations and the ratepayers thereof respectively and shall not be open to question upon any ground whatsoever notwithstanding the requirements of *The Power Commission Act* or the amendments thereto or any other general or special Act of this Legislature.

Rev. Stat.,  
c. 57.

By-laws  
776 and 781  
town of  
Southamp-  
ton  
confirmed.

**3.**—(1) By-laws numbers 776 and 781 of the corporation of the town of Southampton and all debentures issued or to be issued or purporting to be issued under the said by-law number 781 are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof

respectively, and shall not be open to question upon any ground whatsoever, and the said corporation may enter into a contract with the Commission for a supply of electrical power or energy and such contract shall be legal, valid and binding upon the said corporation and the ratepayers thereof respectively and shall not be open to question upon any ground whatsoever, notwithstanding the requirements of *The Power Commission Act* or the amendments thereto or any other general or special Act of this Legislature, and notwithstanding any action or proceeding heretofore commenced or now pending or any judgment or other decision which may be rendered therein; provided nevertheless that the costs in any such action or proceeding shall be awarded and taxed and payable as if this section had not been enacted.

Rev. Stat.,  
c. 57.

(2) This section shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.

Commence-  
ment of  
section 3.

4. Save as herein otherwise provided this Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

3rd Session, 17th Legislature,  
Ontario.  
19 George V, 1929.

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BILL.

An Act to validate certain By-laws  
respecting The Hydro-Electric  
Power Commission of  
Ontario.

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*1st Reading*

March 26th, 1929.

*2nd Reading*

March 27th, 1929.

*3rd Reading*

March 28th, 1929.

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MR. COOKE.

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TORONTO :



# BILL

An Act to amend The Gasoline Tax Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Gasoline Tax Act, 1929*. Short title.
2. Section 2 of *The Gasoline Tax Act* is amended by Rev. stat. c. 55, s. 2, amended. striking out the words "three cents" in the fifth line and inserting in lieu thereof the words "five cents," so that the section will now read as follows,—
  2. For the purpose of providing for a fair contribution by Tax payable by purchaser. the users of roads in Ontario towards the cost of the construction and maintenance thereof, every purchaser shall pay to the Minister for the use of His Majesty in the right of the Province of Ontario, a charge or tax at the rate of five cents a gallon on all gasoline purchased or delivery of which is received by him.
3. This amendment shall have effect as from the 27th day Commencement of Act. of March, 1929.

3rd Session, 17th Legislature,  
Ontario,  
19 George V, 1929.

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BILL.

An Act to amend The Gasoline Tax Act

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*1st Reading*

March 27th, 1929

*2nd Reading*

March 27th, 1929

*3rd Reading*

March 28th, 1929

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MR. HENRY

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# BILL

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1929, and for the Public Service of the financial year ending the 31st day of October, 1930.

MOST GRACIOUS SOVEREIGN:

**W**HEREAS it appears by message from His Honour Preamble. William Donald Ross, Esq., Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the financial year ending the 31st day of October, 1929, and for the financial year ending the 31st day of October, 1930, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:—

1. From and out of the Consolidated Revenue Fund of \$16,020,-  
659.21 this Province, there may be paid and applied a sum not exceeding in the whole Sixteen million twenty thousand six hundred and fifty-nine dollars and twenty-one cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1928, to the 31st day of October, 1929, as set forth in Schedule "A" to this Act. granted for  
year ending  
31st October,  
1929.

2. From and out of the Consolidated Revenue Fund of \$47,318,-  
270.00 this Province, there may be paid and applied a sum not exceeding in the whole Forty-seven million three hundred and eighteen thousand two hundred and seventy dollars towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1929, to the 31st day of October, 1930, as set forth in Schedule "B" to this Act. granted for  
fiscal year  
1929-30.

Accounts  
to be laid  
before  
Assembly.

**3.** Accounts in detail of all moneys received on account of this Province during the said financial year 1928-29, and of all expenditures under Schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1929-30 and of all expenditures under Schedule "B" of this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Appro-  
priations for  
1928-29 un-  
expended  
to lapse.

**4.** Any part of the money under Schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1929, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Rev. Stat.,  
c. 25.

Appro-  
priations for  
1929-30 un-  
expended  
to lapse.

**5.** Any part of the money under Schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1930, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Account-  
ing for ex-  
penditure.

**6.** The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Commence-  
ment of Act.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent.

#### SCHEDULE "A."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-nine, to defray expenses of:

Prime Minister's Department..	\$10,437,175 75
Legislation.....	2,600 00
Attorney-General's Department	40,200 00
Insurance Department.....	12,400 00
Education Department.....	1,596,752 00

Lands and Forests Department	\$642,200 00
Mines Department.....	59,625 00
Game and Fisheries Department	96,350 00
Public Works Department.....	1,950,297 42
Highways Department.....	47,488 38
Health Department.....	70,550 00
Labour Department.....	252,787 65
Provincial Treasurer's Department.....	27,375 00
Provincial Auditor's Office.....	7,900 00
Provincial Secretary's Department.....	586,648 01
Agriculture Department.....	161,410 00
Miscellaneous.....	28,900 00
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Total estimates for expenditure of 1928-1929.....	\$16,020,659 21

#### SCHEDULE "B."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and thirty, to defray expenses of:

Lieutenant-Governor's Office...	\$6,250 00
Prime Minister's Department..	15,213,193 00
Legislation.....	375,575 00
Attorney-General's Department	2,097,740 00
Insurance Department.....	59,850 00
Education Department.....	7,889,229 00
Lands and Forests Department	2,980,400 00
Northern Development Department.....	499,800 00
Mines Department.....	385,600 00
Game and Fisheries Department	593,050 00
Public Works Department.....	1,503,968 00
Highways Department.....	579,125 00
Health Department.....	731,200 00
Labour Department.....	2,922,550 00
Provincial Treasurer's Department.....	592,200 00
Provincial Auditor's Office.....	99,480 00
Provincial Secretary's Department.....	7,395,465 00
Agriculture Department.....	2,765,595 00
Miscellaneous.....	628,000 00
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Total estimates for expenditure of 1929-1930.....	\$47,318,270 00

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BILL.

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1929, and for the Public Service of the financial year ending the 31st day of October, 1930.

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*1st Reading*

March 28th, 1929.

*2nd Reading*

March 28th, 1929.

*3rd Reading*

March 28th, 1929.

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Mr. MONTGOMERY.









